

MINUTES OF THE JUNE 1, 2009 SELECTMEN'S MEETING

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

The meeting was opened at 6:35PM by the Chair who also moved to go into non-public session to discuss a personnel issue and an issue by which the reputation of someone other than the Board might be harmed. Mr. Copeland seconded the motion, which passed unanimously. At 7:40 PM, the Board came out of non-public session with Mr. Canada moving to come out and to seal the minutes due to the discussions of personnel issues and an issue, which would affect the reputation of another who is not on the Board. Mr. Copeland seconded the motion, which passed unanimously. The Board then recessed to organize the regular session of the Board.

The Chairman reopened the meeting at 7:45PM. There was a review of meetings that were held in the previous week and meetings scheduled for the coming week.

TREASURER'S REPORT: Mr. Deschaine gave the Treasurer's Report in the absence of Kevin Peck. He reported that the Town had a \$468,151.68 deficit in the general checking account after signing the checks tonight. He will be holding the two school checks until the tax money from first tax billing replenishes the account to cover those checks.

DEPARTMENT REPORTS:

Administration: Paul Deschaine gave his weekly report. He had been contacted by Fire Chief Bob Law and the Interstate Emergency Unit (IEU). IEU is considering the Town's counter-offer for acquiring the Old Engine 2. There is still no word on a final decision from that agency.

Mr. Deschaine then discussed the issue of the pre-emption light to go at the intersection of Winnicutt Road and Portsmouth Avenue. The Board had previously approved a proposal to install the light; however, when the contractor approached the Department of Transportation, they felt it necessary to have the installation further engineered. After contacting Steve Pernaw who suggested using another local firm for the design, Mr. Deschaine had a proposal and an engagement letter from that consultant. The cost for the design will be \$6,000 plus \$1,000 in possible expenses. Mr. Canada moved to accept the proposal. Mr. Copeland seconded the motion and authorized Mr. Deschaine to sign the engagement letter. The motion passed unanimously.

Mr. Deschaine noted that Ron Roberts had approached him about displaying some of his photography of local landmarks in the Municipal Center. He will be dropping off a sample of his work for the Board and Mr. Deschaine to review and consider that offer.

Mr. Deschaine then presented his research regarding obtaining either a whiteboard or reusing the current blackboard in the Hearing Room. He explained that the cheapest whiteboard that he could find was for \$280, but it was a very lightweight model. Higher quality boards were available in the \$600 range. Mr. Federico moved to authorize the expenditure of \$600 to

purchase the whiteboard. The motion failed for the lack of a second. The Board then directed to reuse the blackboard that exists in the Hearing Room to be installed in the new Hearing Room.

Mr. Deschaine reported on the favorable decision by the NH Department of Labor on David Pierce's Whistleblower Act petition. The Board was satisfied with the vindication of the Town.

The Board asked whether the easements for the fire suppression district would be completed soon. Mr. Deschaine reported that Town Counsel Lynn Morse stated that they would be here by Friday.

Mr. Canada asked if a general meeting with Town Hall staff would be appropriate, like the one they did with the Police Department. Mr. Deschaine asked if the intent was to meet with the Town Office staff and the Library staff separately or to meet with them together as they are in the same building. Mr. Canada did not have an opinion either way. There would be benefit in doing it together and separately. Mr. Copeland would include them together. Mr. Deschaine then asked about the Fire and the Highway Departments. Mr. Copeland agreed that a Highway Department meeting is needed. Mr. Canada and Mr. Copeland felt that they are at the Fire House regularly to get that Department's input and; therefore, a separate meeting is not necessary. It was suggested that we meet between 9:30AM and 10:00AM with the staff, perhaps on a Friday and also to avoid vacation schedules.

Mr. Canada mentioned that Mel McGrail, of the Pocket Gardeners, has someone interested in improving the intersection of Stratham Heights Road and Bunker Hill Avenue. Mr. Canada moved to allow the Pocket Gardeners to take over the beautification of that intersection. Mr. Copeland seconded the motion, which passed unanimously. Mr. Deschaine mentioned that some of that intersection is actually part of the State right-of-way of Bunker Hill Avenue; therefore, we would not necessarily have control over it. The Board agreed however, that any improvement probably would not be objected to by the State.

Mr. Canada reported on his analysis of the copying fees charged by the Town. He would suggest that there be some changes based on the input Charles Grassie provided. Mr. Canada moved to adopt the changes as proposed by Mr. Grassie. Mr. Federico seconded the motion, which passed unanimously.

Mr. Federico said that he was approached by John Law to have some of the boulders in the backfield of the Gifford property removed. If they were removed, more of it could be hayed. Mr. Canada asked who would be paying for the removal. Mr. Federico said that that was unclear and did not come up during the discussion.

NEW BUSINESS:

Mr. Canada opened the Ascertainment Hearing regarding the renewal of the Comcast Cable TV Franchise Agreement by first reading the public notice of the hearing, then Mr. Canada introduced Kate Miller, who is the Town's special counsel regarding the franchise renewal. Mr. Canada asked Ms. Miller to explain the law regarding rates because normally that was the highest interest issue expressed by residents. Mr. Canada also introduced Jay Summers, who is

the Senior Manager of Government Relations for Comcast. Both these individuals explained that rates are deregulated except for basic services. This is especially true if there is a competitive alternative like satellite TV, which has up to 15% of the market in Stratham. The hearing continued, taking testimony from those present. I would refer to the transcript attached to these minutes as to the discussions that occurred. At approximately 9:25 PM, the Chair, hearing no further comment, closed the Ascertainment Hearing regarding the Cable TV Franchise Renewal. He stated that written comment would continue to be accepted until June 19, 2009. At that time, the Board recessed to allow the room to clear and returned into public session at 9:28PM.

Mr. Canada stated there was a complaint about the new lights installed on the freestanding Fire Department sign. He agreed with the complainant that the lights do not have to be on all night long. He suggested putting a timer on the lights so that they can be shut off at approximately 9:00PM. Colleen Lake stated that it was her complaint that Mr. Canada was talking about and it was more regarding the brightness of the lights, which is particularly problematic because the lights are up lighting the sign. A down light would have been much better. Mr. Canada asked the Board if they wanted to get a quote for a timer. Ms. Lake asked if she could present an alternative. Mr. Canada said she was free to do so at any time.

Mr. Canada next addressed the Board's response to Ms. Lake's previous proposal to relocate the Wiggin Memorial Library to the Town Center. The Board discussed the merits of her proposal in non-public session, as they felt it was a contract negotiation, and came to the conclusion of not supporting the proposal. There was no general benefit to the Town to do so. Mr. Canada had a draft of a letter outlining the details of the Board's opposition, which he then summarized. Mr. Canada moved that the Board sign this letter. Mr. Copeland seconded the motion. Ms. Lake asked to comment. She informed the Board that the Trustees of the Library are meeting next week and that she and Lissa Ham are meeting with them on June 9, 2009 at 7:00PM at the Fire Station site. Ms. Lake then disputed that the presentation was a proposal and that the request did not ask for any money. Mr. Canada questioned that statement as to whether the presentation and/or proposal did not request funding. When called for a vote, the motion passed unanimously to sign the document. It was then presented to Ms. Lake.

There was a request by Pat Izzo, of the Center for Occupational Employment Health, to have a training session at the Fire House as they have in the past. Mr. Copeland moved and Mr. Canada seconded the motion to allow the use, which passed unanimously.

At 10:17 PM, Mr. Canada moved to go into non-public session to continue to discuss personnel issues for the Town. Mr. Federico seconded the motion, which passed unanimously. At 10:55 PM, Mr. Canada moved to come out of non-public session and to seal the minutes due to personnel matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

The following Park Permits were reviewed and authorized:

Melissa Dean for the Scamman Pavilion on August 2, 2009 for a family reunion.

Diane Olson for the Front Pavilion on July 4, 2009 for a family reunion.

The LaLeche League of Maine for use of the Scamman Pavilion for an annual picnic on June 26, 2009.

Lavalee and Susan Drew for the Front Pavilion for a birthday party on September 26, 2009.

Mike and Kathy Nichols for the Front Pavilion for a birthday party on August 29, 2009.

At 11:01 PM, Mr. Copeland moved to adjourn. Mr. Canada seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow
Recording Secretary

Paul Deschaine
Town Administrator