

MINUTES OF THE SEPTEMBER 21, 2009 BOARD OF SELECTMEN'S MEETING

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

The meeting was opened at 7:35 PM.

TREASURER'S REPORT: Kevin Peck reported he had \$25,356.85 in the general checking account. He also reported that he had \$3,500,000 invested.

DEPARTMENT REPORTS:

Code Enforcement Officer/Building Inspector: Terry Barnes was present to give his monthly report. Mr. Barnes reported that Lindt & Sprungli is now installing the operating equipment to their additions. They are predicting that by December of this year they will be in startup.

Mr. Barnes also reported that the Timberland building was being re-roofed along with other improvements made to it to include additional paving and sealing of other paved surfaces. They also reported that new green fixtures were being installed in the bathrooms as part of an overall upgrade to the building. He also reported the Fire Chief has had some issues regarding the fire alarm systems in that building. The Fire Chief said that he is looking for a commitment for an upgrade over a specific period of time.

Mr. Barnes reported that Bootleggers is close to opening in the Staples Plaza. The Planet Fitness, in that same building, has been issued a demolition permit. They are also looking to add signage to that building which may go beyond what the ordinances allow. They are evaluating their options and possibly revising their request.

Mr. Barnes reported on a junkyard that he believes exists at the corner of Lovell Road and Portsmouth Avenue. He is contemplating taking enforcement action if he does not get cooperation from the landowner. Mr. Deschaine noted that the lot at the corner of Blue Ridge Circle and Route 33 should be analyzed for the same problem. Mr. Barnes agreed that he would look into it.

Mr. Barnes reported that he is going to receive a refund of \$2,395 from Black Bear Software, which represents the prepayment he made to an upgrade in their software that has never come. The refund is to be here by October 18, 2009. They have been waiting over a year for this upgrade. Otherwise, he has been having a lot of enforcement issues with illegal signs being posted all over Town.

Mr. Canada asked if there had been any additional accessory apartments other than the one noted in his written report. Mr. Barnes said only one has requested a building permit. Mr. Canada asked about the status of the newly required deed addendum for accessory apartments since this is the first such apartment constructed after the requirement was implemented. Mr. Barnes reported that Town Planner Lincoln Daley had reviewed a draft from the applicant's attorney, made suggested changes to the draft and it is now back with the applicant's attorney.

Planning: Lincoln Daley was present to give a monthly report of his activities. He reviewed what the Planning Board has done in his short tenure. The Planning Board has expressed an interest in renewing the efforts to update the Master Plan. In addition, the Board has also set December as a target date for a draft of the form-based code to be available for discussion. He noted that activity in the Department was on the quiet side and he intended to take the opportunity to work on defining the Planning Board's goal for the next couple of years.

At 8:03 PM, Mr. Canada moved to go into non-public session to discuss an issue, which may affect the reputation of another who is not on the Board. Mr. Copeland seconded the motion, which passed unanimously. This non-public session included Mr. Daley. At 8:13 PM, Mr. Canada moved to come out of non-public session and to seal the minutes due to the nature of the conversation relating to the reputation of another who is not a member of the Board. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Daley said that his first two weeks working for the Town were a very positive experience and he thanked everyone for their support.

Highway: Fred Hutton was present to provide a report regarding his Department. He stated the Transfer Station has been very busy on weekends.

He informed the Board that one of the dump trucks has a broken set of springs. He has an estimate of \$1,333.73 to repair the truck. Mr. Hutton said that this is truck number five, the next oldest truck. If the springs are not repaired, the truck will not pass State Inspection. Mr. Canada moved to authorize the repair. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Hutton reported on the ball field construction taking place at Stevens Park. They have begun loaming the disturbed areas. They hope to start installing fencing by the end of the week. Mr. Copeland disputed that as a possibility since he was unsure if a decision had been made regarding what kind of fencing was to be installed.

Mr. Hutton went on to state that they had 2500 to 3000 yards of fill that was delivered onsite for free last week. Mr. Federico asked where the fill originated. Mr. Hutton said it was from the Hampton Tolls expansion project and they were looking for a disposal area for excess fill.

Mr. Copeland returned to the discussion regarding the fencing and said he will contact Tara Barker to see where they are on this issue. Mr. Deschaine asked if the fencing could be done after hydro seeding. Mr. Hutton said it is preferred to have it done before because the irrigation system needs to be put down after the fencing is up. Seeding prior to installing the irrigation will disturb the areas seeded, which is not desirable. The discussion continued on what estimates had been obtained and which ones were still pending. The final observation Mr. Hutton made was that there was enough loam onsite to do both the ball fields and the cemeteries.

The discussion turned to the removal of the embankment behind the Municipal Center. Mr. Hutton thought this fill could be used to finish off the slopes around the different cut areas on the Stevens property. Mr. Hutton also acknowledged that Mr. Canada had a good idea of using that

fill behind the existing softball field at the Municipal Center in order to possibly expand that area for a second softball field. Mr. Deschaine spoke to the need to join the Police Department and Municipal Center parking lots and expanding the Municipal Center parking lot to improve the traffic circulation pattern and provide for extra parking closer to the Library.

The discussion then continued on possible uses of the fill from the Municipal Center lot. Mr. Hutton said he thought the drainage system in the Municipal Center parking lot needed to be upgraded to a six-inch pipe to handle the additional drainage area. There was some question about the timing of moving all the material and stabilizing the area. After completing this discussion, it became obvious that between construction efforts at the new ball field and the cemeteries and restoring the disturbed areas on the Stevens property, removal of the fill at the Municipal Center would be too much to accomplish this fall. Mr. Canada stated he wanted that on Mr. Hutton's department's to do list first thing in the spring.

Mr. Canada asked why the salt shed was being left open. Mr. Hutton said that they have been taking a bucket or two of sand for use during the construction. Mr. Canada said he wanted the salt shed to be locked when not in use.

Mr. Copeland asked why the Highway Department used a private firm to inspect their fire extinguishers. Mr. Hutton explained that he could not get inspection tags for the extinguishers that would be acceptable to the State vehicle inspectors. Mr. Hutton said he had even approached Tim Slager and Charlie Browne to get tags but they could not find any that were appropriate. Mr. Federico said the tags are specially made. They have to be authorized by the Fire Marshall's office he thought.

Mr. Copeland asked if the stop sign on High Street had been replaced. Mr. Hutton said that the State replaced it since it opens up onto a State road, that being Winnicutt Road.

Mr. Hutton updated the Board on recent training regarding commercial driver's licenses (CDL's). He stated there were many new efforts to upgrade the licensing requirements.

Mr. Deschaine informed Mr. Hutton and the Board that the Household Hazardous Waste Collection Day was scheduled for October 3, 2009.

Chairman's Report: Mr. Canada reminded everyone about the need to take precautions with the recent outbreaks of EEE in the area. He also invited everyone to participate in the Household Hazardous Waste Collection on October 3, 2009.

Administration: Mr. Deschaine reported that the Farm and Ranchland Protection Program Grant that the Town had applied for regarding the McDonnell Farm had been accepted. However, due to funding constraints, it could not be funded this year. There is a possibility it may be funded during the next fiscal year of the federal government. Consequently, the Natural Resource Conservation Service was asking whether the Town wanted to keep the application as is, keep the application on file but reserve the right to amend it at a future date or withdraw it. Mr. Deschaine recommended the second option or option B. Mr. Copeland moved and Mr. Federico seconded to inform NRCS that the Town would take option B and request that the

application remain on file and reserve the right to update it at a future date. The motion passed unanimously.

The Board then discussed sending an acknowledgement letter to the juveniles who wrote letters of apology to the Board for their acts of vandalism at the Park. Mr. Canada had written a draft, which the Board agreed to sign and send to the juveniles involved.

The Board then discussed Joyce Charbonneau's request to fund the restoration of some additional records of the Town. Mr. Deschaine stated his concerns with the operating budget. Mr. Canada stated that the Budget Committee had made a decision to fund a certain amount of records restorations and the Board of Selectmen should respect that decision. No motion followed so the discussion moved to the next topic.

The Board discussed the H1N1 flu, also known as swine flu. Mr. Deschaine asked if the Board wished to do any contingency planning in light of the possible outbreak this fall and into the winter. Mr. Deschaine had some examples of what could be used for planning documents and recommendations for employees to follow. The Board agreed to do an informational handout to employees but had no other recommendations to implement.

The Selectmen then discussed the Crow Construction proposal to upgrade the hallway between the Library construction and the present Town Offices Section of the building. The Board wanted to know if Charlie Browne could do the painting and ceiling replacement work suggested in the proposal. Mr. Canada reported that Mr. Browne said that he would be willing and able to do the painting and to attempt to replace the ceiling tiles. Dan Crow had pointed out to Mr. Canada that the ceiling tiles have a recessed edge to them and that a special tool is necessary to cut the tiles in order to recreate the recessed edge. Mr. Canada moved to authorize Crow Construction to implement the proposal, with the exception of Mr. Browne doing the painting, for a cost of \$4,381. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine announced he had added a defibrillator for Town Hall to the police order for defibrillators discussed during the September 14, 2009 meeting.

OLD BUSINESS:

Mr. Canada moved to appoint Kirk Scamman as a regular member of the Board of Adjustment. Mr. Copeland seconded the motion, which passed unanimously.

On the Technical Advisory Committee to the Seacoast MPO, Mr. Copeland moved to appoint Lincoln Daley as the Town's representative. Mr. Canada seconded the motion, which passed unanimously.

Regarding the Town of Stratham's representative to the Southeast Watershed Alliance, also known as SB168, Mr. Federico moved to appoint Michael Perfit. Mr. Canada seconded the motion, which passed unanimously. It was noted that by appointment of a representative to the Alliance that it was not necessarily a vote to join the Alliance. This will come later possibly.

Mr. Canada noted that Allison Knab, of 112 Tidewater Farm Road, had expressed an interest in serving on a Board or Commission. Mr. Canada will contact Pat Elwell about the possibility of her participating on the Conservation Commission.

Mr. Copeland moved to approve the minutes of the September 14, 2009 meeting of the Board of Selectmen as prepared by Mr. Canada. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada noted that there would be no project meeting this month.

Mr. Canada reported that he was also obtaining quotes on over-seeding the lawns at the Fire House. He said unfortunately the lawns at the Fire House never really grew in with grass and the over-seeding might be needed.

There was a general discussion regarding the \$500 spending limitation, which may have been violated by the Police Department when they purchased bullet-resistant vests. Mr. Copeland will follow up with Acting Chief Richard Gendron this week.

Mr. Canada asked that the photos on loan from Ron Roberts be displayed sometime this week. Mr. Deschaine said that he would discuss the matter with Charlie Browne and have them up as soon as possible.

Mr. Canada then brought up the furnishings budget for the Library renovation. He said that the Library was looking for furnishings that would cost up to \$14,781.56. Bruno moved to allow that sum for the purchase of furnishings for the Library. Mr. Copeland seconded the motion, which passed unanimously.

PARK PERMITS/MUNICIPAL CENTER RENTALS/FIRE HOUSE RENTALS:

The Board then took a request from Shelley Blood who is asking to use the Meeting Room in the Fire House for a Tiger Cub Den meeting. The den meets two Sundays every month from 3:00PM to 4:00PM. She stated they would be flexible to move if the Fire Department had other uses during that time period and on those days. Another den starts at 4:30PM after their meeting. Mr. Copeland moved to allow the use as requested until May 16, 2010. Mr. Canada seconded the motion, which passed unanimously.

The following Municipal Center rentals and Park permits were issued:

Linda Coffee for a birthday party at the Municipal Center on November 28, 2009. The party is to be a surprise and to be held from 6:00PM to 12:00AM.

Shauna Larkin for a baby shower at the Municipal Center on September 27, 2009.

Regarding a Park permit issued last week to Robert Ray for a military function, Mr. Copeland moved to waive the fee. Mr. Canada seconded the motion, which passed unanimously.

At 10:05 PM, Mr. Canada moved to go into non-public session to discuss a personnel matter. Mr. Copeland seconded the motion, which passed unanimously. At 10:50 PM, Mr. Canada moved to come out of non-public session and to seal the minutes due to the discussions of personnel that occurred. Mr. Copeland seconded the motion, which passed unanimously.

At 10:51 PM, Mr. Federico moved to adjourn. Mr. Canada seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow
Recording Secretary

Paul Deschaine
Town Administrator