

MINUTES OF THE OCTOBER 19, 2009 BOARD OF SELECTMEN'S MEETING

MEMBERS PRESENT: Chairman David Canada, Selectmen Bruno Federico and Tim Copeland, and Town Administrator Paul Deschaine. Martin Wool was also present.

At 7:03 PM, the Chair opened the meeting by moving to go into non-public session to discuss a matter that might affect the reputation of another who is not a member of the Board. Mr. Federico seconded the motion, which passed unanimously. At 7:30 PM, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed which might affect the reputation of another who is not a member of the Board. Mr. Copeland seconded the motion, which passed unanimously.

The public session of the meeting resumed at 7:40 PM.

TREASURER'S REPORT: Kevin Peck reported he had \$674,301.42 in the general checking account. He also reported he had \$1,200,000 in investments. He has been obtaining quotes for the possibility of having to obtain a tax anticipation note and also the required paperwork to obtain same.

DEPARTMENT REPORTS:

Highway: Al Williams was present on behalf of Fred Hutton who was on vacation this week. He reported that the cemetery expansion project would start tomorrow with a Bell & Flynn bulldozer leveling and grading the site. They hope to begin hauling loam to Maple Lane Cemetery starting Wednesday.

Mr. Federico asked if a street name sign could be added at either end of Squamscott Road. Mr. Williams said that both ends are State maintained roads; therefore, they would have to erect the signs. Mr. Federico observed that other State roads have Town road name signs at the end of the roads. Mr. Williams will contact the State Department of Transportation, Division 6, about the matter.

Mr. Federico asked why the centerlines that were painted along High Street were not completely painted. Mr. Williams was not aware of any problem other than a car that had claimed to have been painted on during the process. The painting company is handling that complaint.

Mr. Williams mentioned that on October 28, 2009 the Department has been invited to attend a workshop on sand and salt spreaders and general winter maintenance. The program is being held at the Exeter Public Works Department site.

Mr. Canada asked why the only computerized spreader the Department owns is not used as reported in the Road Salt Standard Practices Executive Summary prepared by the Conservation Commission. Mr. Williams said it was the only one that we had and it was on one of the older trucks. The newer trucks were not installed with the computer-aided spreaders since they did not work well. He will be contacting Howard Fairfield through the training session to see if there is a way to correct it or to install a newer model on the newer trucks.

Mr. Canada asked if Mr. Hutton had gotten quotes on clearing the land behind the Municipal Center softball field. Mr. Williams was uncertain. If he had not, Mr. Deschaine said that he knew Mr. Hutton was working on it because he had gotten copies of a survey for the property for those reasons.

Town Planner: Lincoln Daley was present to give his monthly report. He reviewed a work plan for the month. He stated that Planning Board applications have diminished with a recent one being suspended because the applicant needed to come to terms with an affected abutter.

Mr. Daley stated he is working on organizing the Zoning amendment process which will include the drafting and potential adoption of a Form Based Code for the Gateway Commercial District. The Rockingham Planning Commission is working on this piece of the project. One aspect of the Form Based Code that Mr. Daley has been working on with the Planning Board is the review and approval process. In many cases, under a Form Based Code, a Technical Review Committee does the review. The Planning Board suggested that the Committee be comprised of a Planning Board member, a member of the Board of Selectmen and several Town staff members. Mr. Daley hoped that pieces of the Form Based Code should be in draft form by November 4, 2009 for an initial review.

Mr. Daley then reported that updating the Master Plan is progressing. Several chapters are being examined at this time.

Mr. Daley reported that the Public Works Commission contract with Wright Pierce has begun by providing the data that they requested to start the work needing to be performed. Arrangements will need to be made to have pump tests done on the two fire ponds within the district.

Mr. Daley reported on his findings on the higher resolution aerial photography that was going to be available from the flyover done by the New Hampshire Department of Transportation. Once the Department of Transportation has firm estimates on what the additional costs may be, the Town could have a more detailed discussion on that possibility.

Mr. Daley mentioned he had arranged a site visit to the Lindt Chocolate Factory to see the newly expanded facilities and he extended an invitation to the Board. The tour of the site will be this coming Thursday. Mr. Federico said that unfortunately, the Selectmen had a conflict on that day due to the Police Chief interviews, but he thanked him for the invitation regardless.

Mr. Canada brought a Board of Selectmen policy to Mr. Daley's attention. All recorded Board and Commission meetings, which are taped, are to have the tapes preserved even after minutes for that meeting have been generated and approved.

Code Enforcement Officer/Building Inspector: Terry Barnes was present to give his monthly report. The Bootleggers store is now open, having obtained their Certificate of Occupancy. A pet store is also being proposed next door to Staples, with another storefront between it and the proposed Planet Fitness in that same building. Planet Fitness is beginning the electrical work, having finished demolition and erecting a dividing wall. He announced that Lindt Chocolate has opened a factory store in the old AMD Auto Store, which is off Stoneybrook Lane.

Mr. Barnes passed around a floor plan of the Timberland building to assist in the event of an emergency response.

Mr. Barnes then updated the Board on the ongoing improvements to the Lindt Chocolate Factory.

Mr. Barnes has approached Albert Blain, at the corner of Portsmouth Avenue and Blue Ridge Circle, about junk that he accumulated in his yard. Mr. Blain is working to improve the situation. He has also approached Wayne Demarco, who resides at 308 Portsmouth Avenue, concerning a number of junk vehicles in his yard. That situation is also improving.

Mr. Barnes noted the Board of Adjustment heard three cases this past month. Richard Heath, of 42 High Street, was given two months to clean up his property to come into conformance with his current ZBA approval before they would consider his application to expand his home occupation. The Board of Adjustment approved a home occupation on Merles Lane. A rehearing request by Brian Daigle was extended since one of the original Board of Adjustment members who heard the original case was not present.

Mr. Barnes mentioned that he had been chasing a number of banners promoting different events in Town. These banners were placed without the benefit of a permit.

Mr. Barnes mentioned that he needed to purchase the updates to the NFPA Fire Code Manual at a cost of \$895.50 plus shipping and handling. He did not update the manual last year due to budget constraints, but he needs to do so this year. Mr. Federico moved to authorize the purchase of the updates at a cost of \$895.50 plus shipping and handling. Mr. Copeland seconded the motion, which passed unanimously.

Police: Lieutenant Richard Gendron was present to give his report as Acting Chief. He handed out a report depicting historical data on traffic accidents in Town. The number of accidents in the year 2000 was 180. In the year 2009, there were 111, or a 38% drop in accidents experienced. He stated many things could have contributed to this reduction to include additional patrols. He also handed out a report on the criminal activity in Town.

Lieutenant Richard Gendron researched if anyone was charging for fingerprinting services. To his surprise, no other agency he could find was charging for these services. Regardless, he still felt that it was a use of Town resources that should be paid for. He will continue to investigate the costs in order to determine the appropriate charge for these services.

Lieutenant Gendron then discussed reports of problems with ATVs at Stratham Hill Park. He has studied the Park entrances and he noted there is a lack of postings of the prohibition against ATVs. Lieutenant Gendron has talked with Tara Barker about getting more signs stating this fact. Mr. Canada stated the steps to be taken would be to get the signs, have the signs installed, and then increase enforcement. Mr. Deschaine pointed out the ordinance being discussed applied to all Town property, not just Stratham Hill Park. Lieutenant Gendron, Joyce Charbonneau and Mr. Deschaine met on how to certify to the District Court the existence of this ordinance. Mr. Canada mentioned that it would be important to have a prompt response to ATVs

at Stevens Park due to the newly constructed ball field before an ATV was to damage the newly seeded fields.

Lieutenant Gendron also mentioned that he would like to see an overall increase in fees for reports provided by the Department. Mr. Deschaine said that the Board of Selectmen should approve any fee schedule developed. Mr. Federico stated that any fee increase proposal should include cost justification supporting the increase.

Mr. Copeland asked how many people are participating in the Citizen's Academy. Lieutenant Gendron said there are about nineteen residents and they have already started with various police activities. The participants in the Academy have been very good at learning through the sessions held so far.

Mr. Copeland asked if Lieutenant Gendron was aware of a newly issued taser advisory. Lieutenant Gendron said that he was not but he would look into it. Mr. Copeland said that he had heard that it was a minor advisory concerning the time and place of using tasers.

Mr. Deschaine mentioned that he had presented Lieutenant Gendron with a request for all copies of any general orders issued by him as Acting Chief. Lieutenant Gendron said that he only had one and it had been rescinded because it conflicted with the Employee Manual.

Mr. Deschaine then expressed a concern of his about not having a succession plan in place before Lieutenant Gendron retires on December 1, 2009. Lieutenant Gendron said that he had started training David Pierce in payroll. Mr. Canada said that some sort of written document outlining the duties of the Lieutenant should be created. Lieutenant Gendron said that he was starting one.

Mr. Copeland asked if we were up to date with all the reporting requirements of the State and of the Federal Government. Lieutenant Gendron said that he was; however, we are approaching the end of the year, which requires reporting concerning the certification of everyone and the number of CEU's and firearms training for each officer.

Mr. Copeland asked about the NIBRIS and if all the crime statistics have been reported. Lieutenant Gendron said that they have not done last month's report or this month's yet. Mr. Canada pointed out that if those statistics are not up to date, we have the possibility of not qualifying for several grants.

Administration: Mr. Deschaine reported that the cost of worker's compensation insurance for the year 2010 proposes a 3% decrease in premiums; however, the proposed increase for health insurance from the Local Government Center Health Trust indicates a possible 16% increase in premiums. The Board discussed an effort to inform employees of the true cost of all benefits to them. Mr. Deschaine will be working with Valerie Kemp on a detailed compensation report for each employee.

After having read a letter from the University of New Hampshire regarding a study they are conducting on lyme disease, Mr. Copeland moved to allow the UNH study of lyme disease at

Stratham Hill Park as described in that letter. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine informed the Board that there was going to be a joint meeting of the Towns of Newmarket, Newfields and Stratham to hear a proposal by the Concord Solid Waste Cooperative concerning their new single stream materials recovery facility. That presentation is to occur in the Town of Newmarket on October 28, 2009.

OLD BUSINESS:

Pat Elwell and Donna Jensen were present to discuss the Conservation Commission's report on the use of road salt on Town roads. They had an Executive Summary from which they spoke. Ms. Elwell explained the research they had done from contacting other local agencies, State agencies, participating in a nationwide webinar and other sources. Ms. Elwell first said they were not advocating the elimination of salt. That would be unrealistic and irresponsible; however, the Commission feels there appears to be opportunities to reduce the amount of salt used. Ms. Elwell also said their research showed that there were no set standards to follow. Ms. Elwell explained the inclusions were that salt was expensive as a material, costly in terms of the damage to roads, bridges and private property and lastly, costly to the environment. Mr. Canada observed that many conservation efforts have the added benefit of reducing overall costs. Ms. Elwell stated that the State used a classification system for their roads, which placed four different types, based on traffic counts. Mr. Copeland asked if the Town had all one type of road. Mr. Williams said that, in some respects, yes and, in some respects, no. He said road salt use is very dependent on the driver. Ms. Jensen mentioned that this is especially apparent in cul-de-sacs where, many times, excess salt is being observed. Mr. Deschaine said that he thought from the Conservation Commission's report there was a concern that all roads were being treated the same. Mr. Williams explained what processes he uses when operating a sanding truck. He said he could not speak for what the other drivers do. Mr. Copeland asked if there was a uniform training program for all drivers. Mr. Williams said that there was none, but he could support it. Mr. Copeland thought the money saved in using less salt would justify the cost of bringing in the part-time drivers to be properly trained. Mr. Williams would try to get the part-time people the training on October 28, 2009 in Exeter. Ms. Elwell also pointed out that the mix of salt to sand was a potential issue. She stated Stratham uses one of the highest amounts of salt in the area, with most loads being 80% salt and 20% sand. Mr. Williams pointed out that using sand is good but there are also other costs associated with using it. Excessive use of sand requires the streets to be swept at least twice a year. Catch basins will need to be cleaned more frequently and crack sealing will have to be increased. Mr. Federico mentioned that there has been an expectation by Stratham residents to have their roads clean after a storm. There might be an increase in winter-related accidents if we change these practices. Mr. Williams agreed and stated one of the highest concerns his Department has is with the school buses. There are many buses traveling in Town associated with Stratham Memorial School and the Cooperative Middle School. Mr. Federico asked how the salt and sand are mixed. Mr. Williams said that the two are mixed inside the salt shed. The two items are stored side by side with a mixture in the middle. The mix is dependant on the type of storm. Mr. Canada asked if sand contributed to frost heaves by allowing water to enter the cracks in the road. Ms. Elwell said sand does not create cracks. Mr. Williams said the sand prevents the roads from returning to their original place after heaving. Ms. Jensen disputed

that conclusion. Ms. Elwell pointed out that their main concerns were that the trucks needed to be calibrated, drivers need to be better trained, cracks will need to be sealed, an improved mix of salt to sand would have to be used, and that street sweeping will need to be done along with catch basin cleanings. Ms. Jensen also emphasized that not all streets need to be treated the same. Mr. Williams mentioned that he has had concerns with the number of hours drivers are on the road. That fact can add to driver errors. Mr. Canada suggested a report from Mr. Hutton at the first meeting in November on the training session that occurred on October 28, 2009, along with cost estimates for street sweeping and catch basin cleaning. Lastly, he wanted a better feel from Mr. Hutton concerning the salt to sand ratio when mixing. Mr. Copeland strongly encouraged including the part-time drivers in any training activities in the future. Bob Goodrich mentioned that driver recruitment should be emphasized to increase the number of drivers, including women. Mr. Canada said that we would take applications from any qualified driver at any time. The Board thanked the Conservation Commission for their report and Mr. Williams' participation.

Allison Knab, of Tidewater Farm Road, has expressed an interest in serving on the Conservation Commission. Mr. Canada moved to appoint Allison Knab to the Conservation Commission as an alternate, filling the vacant seat caused by Bill McCarty being moved to a regular member. Mr. Copeland seconded the motion, which passed unanimously.

There was a discussion regarding the appointment of an alternate to the Board of Adjustment. Mr. Deschaine said that he was approached today via email by someone who was interested in serving. Mr. Canada also said that Jim Scamman, Jr., had expressed an interest. Mr. Canada will contact John Dold, Chairman of the Board of Adjustment, to get his input.

Mr. Canada then moved to appoint Barbara Broderick as Stratham's representative to the Board of Directors of COAST. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada then reviewed the minutes prepared for acceptance. He then moved to accept the minutes, as previously amended, of August 24th, August 31st and September 1st, 2009. Mr. Copeland seconded the motion, which passed unanimously. The Board then reviewed the remaining minutes needed to be dictated, printed, and/or posted on the Town website.

Mr. Canada asked if Mr. Copeland has spoken to the Police Department, Fire Department and Highway Department about completing their fire safety inspections. Mr. Copeland said that he had not but will do so soon. He asked Mr. Deschaine to forward the Department Head email addresses to him.

Mr. Canada asked if the Board members had any ideas for tax bill inserts. Mr. Copeland suggested explaining how the tax bill was calculated based on the new updated assessments. The insert could also explain how those assessments were developed and the process involved in reaching them. Town Assessor Andrea Lewy could modify the previous mailer sent in June to reflect the outcome of the revaluation.

Mr. Federico asked if the Board still wanted him to attend the Stratham School District's Financial Advisory Committee as the Board of Selectmen's representative on that committee.

Mr. Canada moved to appoint Mr. Federico to the Stratham School District's Financial Advisory Committee. Mr. Copeland seconded the motion, which passed unanimously.

The Board then discussed miscellaneous matters concerning grants for the Office of Emergency Management. Mr. Deschaine is following up on closing those grants with the State Bureau of Emergency Management.

A brief discussion occurred on the preparation of the 2010 budgets. Mr. Canada suggested giving Department Heads some direction in preparing their budgets. He suggested that non-salary line items be kept at 95% of 2009 non-salary expenses. Hearing no dissent, Mr. Canada moved to inform Department Heads to prepare budgets for non-salary expenses to be at 95% of the 2009 budget line items. Mr. Federico seconded the motion, which passed unanimously.

MEETINGS SCHEDULED THIS WEEK/MEETINGS TO REPORT ON:

The Chairman then reviewed the meetings scheduled for the coming week and the meetings held during the past week.

PARK PERMITS/MUNICIPAL CENTER RENTALS:

Bruno Federico for a family gathering at the Municipal Center on November 8, 2009. Mr. Copeland moved to approve the use and to waive the rental fee. Mr. Canada seconded the motion, which passed with two supporting the motion and one abstaining.

Deborah Elkins had applied for a use of the Municipal Center for the American Cancer Society on December 5, 2009 for a Christmas Party Fundraiser. Mr. Canada observed that Ms. Elkins was not a resident. The Board agreed that non-residents were not allowed to rent the Municipal Center at this time.

Kranthi Kantipudi for a family gathering in the Municipal Center on October 24, 2009 was approved.

David Canada for a Candidates Forum at the Municipal Center on November 1, 2009 for the Tri-Town Republican Committee. The use was approved.

David Canada for a pasta dinner in the Municipal Center on November 16, 2009 for the Tri-Town Republican Committee. That was also approved.

Mr. Canada moved to adjourn at 10:44 PM. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Norma Corrow
Recording Secretary

Paul Deschaine
Town Administrator