

## **MINUTES OF THE MAY 10, 2010 BOARD OF SELECTMEN'S MEETING**

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

At 7:34 pm, the Chair opened the general meeting of the Board of Selectmen.

At 7:35 pm, Mr. Canada moved to go into non-public session to discuss a matter which could affect the reputation of another who is not on the Board. Mr. Copeland seconded the motion which passed unanimously.

At 7:50 pm, Mr. Copeland moved to come out of non-public session and to seal the minutes to the matters discussed which could affect the reputation of another who is not on the Board. Mr. Canada seconded the motion which passed unanimously.

**TREASURER'S REPORT:** Kevin Peck reported that he had \$230,015.30 in the general fund checking account.

### **DEPARTMENT REPORTS:**

**Town Clerk/Tax Collector:** Joyce Charbonneau appeared before the Board to present a tax deed for Map 20, Lot 10, for the non-payment of taxes starting in the 2007 tax year. The current owner of the property is listed as Morningstar Realty Trust of 1999. They have not paid any property taxes to the Town since 2007. Mr. Deschaine noted that on some aerial photography and on the property card, there is a shed noted somewhere on the property. He would suggest that the contents of the shed be checked out before accepting any deed to the property. This is because he was concerned that if there were any hazardous materials contained in the shed, the Town could become liable if it held the title to the property. Mr. Deschaine also noted and suggested that a quick legal review be done concerning the property since it is associated with a pending lawsuit against Morningstar Realty Trust of which the Town is currently not a party. Mr. Copeland moved to postpone acceptance of the tax deed for a week to investigate the contents of the shed, if it indeed exists. Mr. Canada seconded the motion which passed unanimously. Mr. Deschaine asked for clarification if a legal review was included within the motion. Mr. Canada and other Board members said it was not.

Ms. Charbonneau next presented a tax deed waiver for all the property held by True North Development. The reason why she is now presenting tax deeds for these properties is the Town has been issued a court order not to deed or transfer any properties associated with this developer at the present time. Mr. Copeland moved to sign the deed waiver due to the present court order. Mr. Canada seconded the motion which passed unanimously.

**Police Department:** John Scippa was present to give his monthly report. He was happy to report that the Town had been awarded a Highway Safety Grant. The grant was related to the DWI Saturation Program under which patrols will be increased during two periods of time during the coming summer.

Mr. Scippa then presented two additional Highway Safety Grant applications for the Board's review and acceptance. The first application was for a DWI patrol in Stratham which consisted of the overtime costs to increase patrols at a cost of \$6,166.12, which would be 100% funded by the grant. There would be 15 additional patrols of 6 hours each under this application. Mr. Copeland moved to accept the grant and to authorize that the application be submitted and authorized the Chair to sign where appropriate. Mr. Federico seconded the motion which passed unanimously.

The second Highway Safety Grant that the Department is applying for will cover the cost of acquiring laptop computers for each of the patrol cruisers. The application is for 50% of the cost. The other 50% will be matched by a donation being offered by the Stratham Police Association. The total cost of the acquisition is approximately \$25,000. The acquisition of these laptops will replace some very old and non-functional units that the Department currently has, which consists of 5 Panasonic Toughbook laptops with a stand and other peripheral equipment. Mr. Federico asked if there were any carrying costs associated with this acquisition. Mr. Scippa said there will be the ongoing maintenance costs which are currently covered under the Police Department's IT budget. Mr. Deschaine pointed out that there was a statutory requirement to have a public hearing in order to accept any donation in excess of \$5,000, to which the proposed donation of the matching money would fall under. He also understood that there was an additional amount to be donated by the Association to implement a cellular based data system for those laptops. Mr. Copeland moved to authorize that the grant applications be submitted and to authorize the Chair to sign the application where necessary. Mr. Canada seconded the motion which passed unanimously.

Mr. Scippa reported on his arrangements with Parade Marshal Dave Emanuel and Memorial Day Coordinator Jeff Gallagher regarding re-routing the Memorial Day parade. Mr. Copeland congratulated Mr. Scippa on being selected as the featured speaker for Memorial Day observance services.

Mr. Scippa next reported that he met with Fred Hutton, Lincoln Daley, and Paul Deschaine concerning the proposed U.S. Junior Amateur Golf Championship to be held at the Golf Club of New England in 2012. Mr. Scippa has contacted the New Jersey town that hosted the 2009 tournament. He has also contacted the jurisdiction that is hosting the tournament this year. This was in an attempt to get those communities' observations and experiences in hosting such an event. Mr. Copeland noted that he has also participated in the 2002 U.S. Open tournament as part of the security and traffic details, of which he had the most concerns about. Mr. Deschaine said that it has been his expectation to coordinate a Town-wide analysis of all the needs to support this function and to then identify areas where assistance from the golf club and surrounding communities may be necessary. It is important to treat this as a regional event and not one solely associated with the Town of Stratham when dealing with logistics.

Mr. Scippa then reported that Officer John Emerson was involved in a recent arrest resulting from a series of car break-ins. A resident approached him in the early morning hours to state that his GPS unit had been stolen from his car. Mr. Emerson followed up this information by

patrolling adjacent neighborhoods and caught the thief in the act. Mr. Copeland commended Officer Emerson for his efforts.

Mr. Canada asked Mr. Scippa if he had responded to the Department members' request to change the shift scheduling. Mr. Scippa said that he is awaiting the hiring of the last officer before implementing the new schedule. This change will also dovetail with a new police detail scheduling policy.

Mr. Copeland shared his discussions with the Chief about various ordinances the Town would be able to adopt. Mr. Scippa suggested an ordinance dealing with the possession of drug paraphernalia as an example of such ordinances. By adopting such an ordinance, it would offer a diversion opportunity should the situation warrant it during the prosecution of a case. Mr. Canada expressed his general reluctance on philosophical grounds to adopting paraphernalia ordinances, but he sees the reasoning to avoid the Draconian type results from Federal or State drug related laws. Mr. Copeland suggested a total review of all of the Town's ordinances in order to update and review their contents.

Mr. Federico asked about the status of the hiring process within the Police Department. Mr. Scippa stated that a physical training test is scheduled for June 24<sup>th</sup> for applicants. Ads for the vacancies are now posted. Mr. Deschaine asked if the new shift schedule plan mentioned earlier was truly dependent upon having a ten person roster. Mr. Scippa said that it is dependent. The Board then discussed with the Chief the pros and cons of having that type of dependency on a full ten man roster to implement the scheduling change. Mr. Scippa felt it was an improvement over the current system and that he felt he had the flexibility to change the schedule depending on any vacancies that may occur. There was also a discussion regarding mutual aid responses and the logistics involved.

Mr. Scippa then reported on revising the COPS hiring program grant. He has been notified that the 2009 grant application will be considered for a slightly different 2010 program. There will be a very small window of opportunity to update the previous application to meet the requirements of the new program. Mr. Scippa's impression of the new program requirements are that it would not allow supplanting existing funds for a position in the Department. Mr. Canada expressed his opposition to creating a new position just because of the availability of a grant. Mr. Copeland pointed out that this may be a great opportunity to allow a School Resource Officer position to be created at no cost to the Town or the SAU for at least three years.

The manpower needs for the Department in response to the current status of the schools within the Town and possibly the future needs for staffing as a result of a successful Gateway Commercial District were discussed. It was noted that the Gateway Commercial District also includes a new level of housing which might create greater demand for police resources. All involved in the discussion noted that much of this discussion was subject to speculation at this point.

The Chair then reviewed the meetings scheduled for the coming week and reported on the meetings held this past week.

**PARK PERMITS/MUNICIPAL CENTER RENTALS:**

The following park permits and municipal center rentals were discussed and acted upon:

Allison Jordan requested the use of the Park on August 1, 2010 for the Chapman Family Reunion. The request was approved.

Alfred Binnette of the American Legion requested the use of the Park for a barbecue on August 29, 2010. Mr. Copeland moved to allow the use and to waive the fee. Mr. Canada seconded the motion which passed unanimously.

Peter Masterson requested the use of the Park on July 11, 2010 for a birthday party. The request was approved.

**Administration:** Mr. Deschaine provided his weekly report. He discussed the need to appoint a Health Officer since the current officer's term is expiring. Mr. Copeland asked if there should be a search for a volunteer with a greater health field background. He did not have any complaints about the current holder of the position, but he wanted to see if someone such as a physician might be interested in serving. Mr. Federico felt a discussion needs to occur with the current Health Officer regarding her interest before proceeding in any different direction. Mr. Deschaine will contact the current Health Officer to determine interest in continuing in the position.

Mr. Canada explained his investigation into the drainage situation at the intersection of Jana Lane and Jason Drive. He noted the area is extremely flat. The only way to correct the problem, as brought to the Board's attention earlier, would be a closed drainage system to carry the water away. This solution would be very cost prohibitive. In addition, the removal of water that ponds by the road would not necessarily improve the basement flooding issue that the neighbors were experiencing. Consequently, he did not feel it justified the Town spending that amount of money. Mr. Federico also felt the problem was really intermittent and only exists for a brief period of time when it does occur. Mr. Canada felt there were other remedial actions that would be more effective for the neighborhood to take. Mr. Copeland asked if any cost sharing alternatives would be appropriate to explore. A discussion of using tax dollars to improve private property was then discussed. Mr. Canada volunteered to write a letter to the landowners involved about the Board's observations. The content of the letter would offer to share these observations of the situation.

Mr. Deschaine presented two letters of support. One was for the designation of the Squamscott River to the NH Rivers Management and Protection Program, and the other letter was concerning a State Driveway Permit application to access the Scamman property from Portsmouth Ave. Mr. Copeland asked if the driveway permit has been reviewed by the Conservation Commission because of their involvement in a related conservation easement. Mr. Canada said that he did not believe that was necessary since the access would not affect the easement. Mr. Canada moved to sign the letter of support for the driveway permit. Mr. Federico seconded the motion which passed with a vote of two (2) for the motion and one (1) abstention.

Mr. Canada moved to sign the letter of support for the designation of the Swamscott River as part of the NH Rivers Management and Protection Program. Mr. Federico seconded the motion which passed unanimously.

Mr. Deschaine presented the Tax Warrant for the first tax billing of the 2010 property tax year. Mr. Canada moved to sign the warrant. Mr. Copeland seconded the motion which passed unanimously.

**OLD BUSINESS:**

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

Mr. Canada nominated the following individuals to serve on the Economic Development Committee: Larry Foss, Leslie Blaney, Bruno Federico, Luke Pickett, Mike Houghton, and Scott Zeller as an alternate. Mr. Copeland seconded the motion which passed unanimously.

Mr. Canada noted that the Board of Selectmen, under the charge of the Committee, was to select or appoint the Chair. He wanted to know if Mr. Federico wished to serve as Chair. Mr. Federico agreed to do so. Mr. Canada moved to appoint Mr. Federico as Chair of the Economic Development Committee. Mr. Copeland seconded the motion which passed unanimously. Mr. Canada will forward all the contact information he has to Mr. Federico so that he may organize the first meeting of the newly appointed committee. The Board noted that that leaves the following vacancies to be filled by the Board: One alternate's position on the Board of Adjustment, one alternate's position on the Recreation Commission, and one alternate's position on the Economic Development Committee.

The Board then discussed the Recreation Commission's notice to them of their inability to schedule their meetings to accommodate the appointment of Mr. Copeland to the Commission. Currently, the Board and the Commission both meet Monday nights, creating a scheduling conflict. Mr. Canada felt that other Boards and Commissions should not meet on Monday since this prohibits any Selectman's interaction with those bodies. Mr. Copeland and Mr. Federico agreed. Mr. Canada will communicate this to the Recreation Commission.

Mr. Canada reported he had obtained a quote for repairs to the masonry of the Historical Society Building. The cost to re-point the building is approximately \$900 and the cost to then seal the masonry portion of the building is an additional \$900. Both of these expenditures are quoted as a "not to exceed" basis. He would submit the total amount which could be much less. The proposal also comes with a commitment from the mason to return to re-do the work in an amount of up to 5 hours. Mr. Canada also reported that the Historical Society was going to investigate if they could afford to contribute to some portion of these costs. Mr. Deschaine will review the budget to see what is available to cover the cost of this necessary maintenance.

Mr. Canada stated he has met with the Pocket Gardener's Group to discuss their needs for improvements to Town property. Mr. Canada moved to allocate up to \$500 to their activities. Mr. Copeland seconded the motion which passed unanimously.

A discussion on plans in preparation for feeding the Honor Guard during the Memorial Day services occurred. Mr. Canada did not want to continue to perform this function this year unless another member of the Board wanted to take the lead in this function. He recommended giving the Fire Department \$500 to cover the cost of doing it themselves. Mr. Copeland agreed to approach Chris Rowe on this change and, therefore, moved to authorize up to \$100 for this event. Mr. Canada seconded the motion which passed unanimously.

Mr. Canada mentioned that he felt the previous expenditure cap of \$500 should remain in place for all Department expenditures on an ongoing basis. Proposed Department expenditures that exceed \$500 would require Board of Selectmen approval prior to the expenditure. Mr. Canada moved to implement the \$500 cap on discretionary expenditures until revoked by the Board at some future date. Mr. Copeland seconded the motion. Mr. Copeland agreed with the effort and felt that the State should implement a similar measure. The motion passed unanimously.

Mr. Canada stated his desire to have all submissions to the Town for building permits and planning purposes be in a digital format. He felt this should be implemented throughout the Land Use Department by perhaps January 1, 2011. He asked Mr. Deschaine to have Terry Barnes and Lincoln Daley be prepared to discuss the matter next week. Mr. Deschaine explained some of the logistical issues requiring that all building permit information be in a digital format. Mr. Federico agreed it was important to have the committee reviewing the software needs of that Department evaluate document management systems.

The Board then discussed the use of volunteer labor from the Timberland Company to install the fencing at the Steven's Park Babe Ruth Field. Mr. Copeland wanted to know if Tara Barker was moving forward with the irrigation and fencing without exploring the use of the Timberland labor. Mr. Canada asked if the Timberland volunteers were also going to build the dugouts. Mr. Copeland said he had a conversation with Brad Russ about that and they had others interested in donating to that construction need. Mr. Copeland will meet with Ms. Barker in coordinating all these efforts.

Mr. Canada expressed his concerns with the Library's intent on renewing a new lease for all new computer work stations. He acknowledged that the Library Trustees have a certain amount of autonomy over their operations; however, he felt that the replacement of these computers is not warranted or justified. To that end, he feels it is important to discuss the issue with the Library Trustees. He requested the scheduling of a meeting with the Trustees and will arrange it if other members of the Board thought it was a good idea. Mr. Federico and Mr. Copeland agreed that it was a good idea to arrange the meeting to have that discussion.

Mr. Federico asked if the irrigation system at the Fire Department was working. He has not seen it in operation. Mr. Canada explained that it has a rain sensor which limits its operation based on need and not merely a timing mechanism.

At 11:00 pm, Mr. Canada moved to go into non-public session to discuss a personnel matter. Mr. Copeland seconded the motion which passed unanimously.

At 11:05 pm, Mr. Federico moved to come out of non-public session and to seal the minutes to the matters of personnel discussed and to adjourn the meeting. Mr. Canada seconded the motion which passed unanimously.

Respectfully Submitted,

Reviewed By,

Stacey J. Grella  
Executive Assistant

Paul Deschaine  
Town Administrator