

MINUTES OF THE JULY 19, 2010 BOARD OF SELECTMEN'S MEETING

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

At 7:30 pm, the Chair opened the general meeting of the Board of Selectmen.

Mr. Canada started the meeting by introducing the Town's newest employee, Stacey Grella, who was present. Ms. Grella will serve as the Executive Assistant to the Board of Selectmen and Town Administrator.

TREASURER'S REPORT: Kevin Peck reported that he had \$6,644,380.91 in the general checking account.

DEPARTMENT REPORTS:

Highway: Fred Hutton was present to give his report. He reported they started roadside mowing and are about halfway done. They are doing the main roads and then, as time allows, doing the back roads. Mr. Hutton also stated that the mower needs to be rebuilt because the fingers on the end of the sickle bar need to be changed over to double fingers because they will no longer be making the single finger systems. Mr. Hutton reported that they will do this as soon as they can. Mr. Hutton stated the double fingers are cheaper than the single fingers and they won't break as easily.

Mr. Hutton reported the stop bars are a little over half done and also the yellow lines are all done. Mr. Hutton reported there is a global shortage of the pigments used in the road marking paint. Mr. Hutton has contacted a couple of surrounding towns and talked with Sherwin Williams about using an industrial white ceiling latex paint that is used in industrial buildings that seems to be working pretty well.

Mr. Hutton reported some hardwood trees along the right-of-ways have been splitting and falling down lately during wind storms. The Highway Department has been taking care of them once the power company has completed their portion of the work.

Mr. Hutton reported that salt has gone up \$2.00 per ton. He stated they had to end up going with a State bid. It is \$55.92 per ton, last year we paid \$53.93 with Morton.

Mr. Hutton stated the mowing of the field at Stevens Park will be completed tomorrow. Mr. Canada stated he talked with Bio-Spray and they think the field could use an aeration in September and then again in November. Mr. Hutton stated they did that last year for all fields and plan on doing that again.

Mr. Hutton stated they will be working on the piece of drainage pipe near the Law property on Frying Pan Lane. This will happen probably some time in August so it can be done before any more heavy rains. Mr. Hutton thinks tying into a bigger nearby culvert will alleviate a continuing problem with water in the area.

Mr. Hutton reported the Transfer Station has not slowed down at all. The weekly fees have been between \$800 and \$1,500 per week for disposing of materials people have delivered to the Transfer Station.

The brook just beyond the Transfer Station on Union Road has had problems with beaver. Mr. Hutton stated he cannot do too much to it anymore because they are now building a dam on the low side of the culvert and it is inaccessible at this point.

A discussion took place about treating the fields at Stevens Park. In the past, we have done fertilizer, weed control and grub control. Mr. Canada stated the price to do the same is \$1,550. However, without the grub control, it would be \$820. Mr. Federico moved to authorize Bio-Spray to treat the fields with fertilizer, weed killer and grub control for \$1,550. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Canada informed Mr. Hutton that two signs that say "Strictly Enforced" have been ordered to be placed on each end of Union Road. They need to be installed right under the speed limit signs.

Code Enforcement Officer/Building Inspector: Terry Barnes was present to give his monthly report. He stated about 1/3 of the Home Occupation letters have gone out and they are starting to trickle back. He also stated he has a building permit request from the Daigle's for a storage barn associated with their home occupation, but there is a letter going back out to them suspending action on their permit until resolution of a court appeal of the permit entered at Superior Court by neighbors.

Mr. Barnes stated that he had received complaints that political signs placed at the traffic circle had been removed. He said he had not removed them.

Mr. Barnes stated Lindt Chocolate has been moving some interior walls, but not structural interior walls. The high voltage area that they are making the room around is being reviewed, and they will get "as-built" plans when it is done. Mr. Barnes reported that the Cornerstone School is adding an ADA bathroom downstairs for children and a standard bathroom, one next to the other. They are changing a non-structural wall in the process. Mr. Barnes stated there is a new house under construction on Orchard Hill Road that is about 50% done.

Mr. Barnes said the State is asking the Town to complete a Code Compliance telephone survey for the NH Office of Energy and Planning. Mr. Barnes will call them to participate in the survey. Mr. Barnes stated a representative from the State Fire Marshal's office was in to go over new forms for gas permits, especially for generators and pool gas heaters.

Mr. Barnes talked with Charlie Browne this morning about placing paper cups in the bathrooms at the Municipal Center and determined it is not allowed per the 2009 Plumbing Code. Mr. Canada stated there should be water available in the municipal building and he will look into buying a bubbler. Mr. Copeland moved to purchase a bubbler for the Municipal Center. Mr. Canada seconded the motion, which passed with two (2) in favor and one (1) opposed.

Mr. Barnes stated the house on Cortland Avenue where they had the structure fire has been cleared to be taken down. There have been complaints from neighbors about debris blowing around in the wind and rain. The insurance company has completed their work so nothing is

standing in the way of tearing it down. Mr. Barnes stated the only permit pulled was to take the siding off of a neighboring house that suffered heat damage. No demolition permit has been pulled yet. The insurance company is contracting to do the work.

Mr. Barnes says the Subaru dealership at 37 Portsmouth Avenue is looking for a setback variance to place a solar array in front of their business. The Planning Board and Board of Adjustment are having a joint hearing on August 4th to handle the request.

Mr. Barnes stated the resident at 151 Stratham Heights Road got a building permit to do some work in his house. Mr. Barnes later found that he was putting an apartment in the basement and instructed him to go to the Board of Adjustment (ZBA) as he does not have a special exception to have an accessory apartment. Mr. Barnes informed the resident he had other violations because of some wiring in the ceiling. Mr. Barnes said he needed a third party inspector to come in because he can't see behind the walls. The resident has filed for the special exception.

In other cases coming before the ZBA, Mr. Barnes stated the resident at 5 Vanessa Lane has built a house that is set up for an in-law apartment without a kitchen. Mr. Barnes issued the permit and wrote that it is not to be used as an apartment until they go to the ZBA. The resident is now coming in for the special exception. Mr. Barnes stated the resident at 130 Union Road needs four variances because of the nearby wetlands. The resident removed a two bedroom mobile home and wanted to put a two bedroom house in, which will not meet any of the setbacks. This will have to go to the ZBA. Mr. Barnes stated the resident at 181 Winnicutt Road is looking for a special exception for a hair salon. Mr. Barnes stated the resident at 24 Doe Run Lane will be appearing before the Board on September 21st to file for a special exception for a dog kennel.

Planning: Lincoln Daley was present to go over some applications currently in front of the Planning Board. The first public hearing scheduled for this week is to discuss the Altid Enterprises parking lot expansion located at 100 Domain Drive. They are looking to expand the existing parking facilities by approximately 207 spaces. Mr. Daley went on a site walk with members of Stratham and Exeter Planning Boards. They decided to redesign the parking lot to minimize the impact on the wooded area on the corner as you first enter the Industrial Park itself. Based on those discussions, there has been a revised application and redesign, which will be put before the Planning Boards of Exeter and Stratham.

A public hearing is scheduled for the amendments to the existing parking regulations of the Town. The purpose of the amendments is to provide more flexibility to the Planning Board and also developers to possibly combine parking uses and facilities.

The next public hearing will be on August 4th involving Exeter Subaru. In working with the Chair of the Board of Selectmen and the Town Administrator, they have been looking at ways to try to minimize or reduce some of their application costs for both applications. They cut their fees in half by having a joint meeting and the applicant is very pleased.

Another project involves the continuation of the design guidelines for the Gateway District. The latest draft, which was submitted today by RPC, will be put before the Planning Board. There have been minor tweaks here and there, but the content and design guidelines themselves are complete.

A public meeting for the consideration of a re-hearing request by abutters involving the Daigle's home occupation will be on August 4th and involves the ZBA.

Mr. Daley reported on the evaluation of the municipal software programs based on the sub-committee's input. They most recently met with Avitar, which is the current software system the Town is using for its assessing and Town Clerk functions. The point of this meeting was to understand what opportunities the Town would have to modify the current software system to incorporate more building, zoning and planning aspects. Mr. Daley stated they seem pretty open to expanding their current software system, but they are looking to the Town for additional guidance on what areas for improvement could occur. Mr. Daley is heading up this effort and will continue working on this.

Mr. Daley has been working with the developers of the Willow Pond subdivision to close out the performance bonds and resolve issues with the project. They still have three more lots to be developed. Mr. Daley was satisfied with the maintenance plan for the fire pond; however, still wanted input from the Fire Chief.

Mr. Deschaine brought up the landscaping bonds that have been released and the problems associated with that. Each individual lot has a specific landscape requirement to meet the Low Impact Development criteria. Two or three of the lots were put in during winter conditions and the landscaping could not be completed because of that. The previous Planner, and with Mr. Barnes' knowledge, put a requirement that they post a performance bond to complete the landscaping. There was some issue as to the criteria by which to correctly evaluate what was done. When the Town went to release the bonds to the individuals who posted the bonds, we learned that one of those parties is allegedly bankrupt and the release should have gone to the actual homeowner. Mr. Daley stated that he has directed the homeowner and Greg Corson and Scott Cornell to contact the head of the now defunct company in question to receive authorization on their behalf to release the bond monies to the homeowners.

Mr. Daley reported the Memorandum of Understanding (MOU) regarding participation in the proposed fire suppression system did get out to the Gateway business owners. The next step in the process is to contact these individuals this week to follow up and see what the status is and hopefully get a letter of intent from them to move forward with this process.

Police Department: Chief John Scippa was present to give his report. The COPS grant has been re-submitted. The one issue they wanted us to look at was the reported total revenue that the Town had taken in over the last three fiscal years. There was a greater than 75% difference within those three years reported. Mr. Scippa reported that he and Mr. Deschaine looked over those numbers and it is an accurate representation of the total revenues to date. The Board asked Mr. Scippa to confirm that in fact the COPS grant is being funded by ARRA money or whether it is coming from some other funding source. The source of funding affects the process by which the Town could accept the grant if it is awarded. Mr. Scippa will follow up on that item.

Mr. Scippa commented that the Police Department is ready for the upcoming Stratham Fair. Sgt. David Pierce has done a fantastic job in covering all the particulars with regard to scheduling, filing proper paperwork, getting together equipment and things of that nature.

Mr. Scippa brought to the Board's attention a citizen's request for assistance with the installation of a child car seat. Mr. Scippa reported that it is not required by law that a police officer installs the car seat. Mr. Scippa would like to certify one of our officers, however, the training is one week long and would cost money to not only send someone to the training, but to cover that open shift as well. Mr. Scippa will look into hosting the training here as other Town departments have expressed an interest and it could mean free spots for attendees if we host the event.

Mr. Scippa commended Officer Greg Jordon and Officer Mike Gobbi for their response to a very serious call over the weekend where a possible domestic situation was occurring at the corner of Lovell Road and Route 33. There were numerous shots fired just prior to the officers' arrival. The officers were able to secure the weapon, protect the witnesses that were there, and take the person into custody without any issues. The situation is still under investigation and there will be felony charges forthcoming.

At approximately 8:30 pm, Mr. Federico had to leave the meeting.

At 8:51 pm, Mr. Canada moved to go into a non-public session to discuss a personnel issue with Mr. Scippa. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Federico returned to the meeting at 9:17 pm.

At 9:34 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the personnel matters discussed. Mr. Federico seconded the motion, which passed unanimously.

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

PARK PERMITS/MUNICIPAL CENTER RENTALS:

Mr. Canada inquired on progress setting up the online reservation system with Eventkeepers. Mr. Deschaine reported that it is almost set up and that he had run a few applications through the system for testing.

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

Andrea Morris from Seacoast Dialysis requested the use of the Park for a patient appreciation picnic on September 12th. The request was approved.

Leslie McLaughlin from Rite Aid requested the use of the Park for a barbecue and game day on August 8th. The request was approved.

Administration: Mr. Deschaine discussed the lawn watering restriction ordinance. No decision has been made as the Board is currently waiting for input from the Public Works Commission.

Mr. Deschaine has confirmed the Energy Purchasing Group meeting with the Towns of Newmarket and Newfields, and perhaps Durham and Exeter as well. It is scheduled for July 28th at 7:00 pm in Newmarket.

NEW BUSINESS:

A discussion took place to clarify what, if any, restrictions are put on people campaigning during the Fair. Mr. Canada had been approached by a candidate for a clarification of what was allowed on Town property. Mr. Canada moved that non-intrusive distribution of political literature is allowed. He felt it was a First Amendment right to do so. Mr. Federico expressed concerns about large gatherings with the fairgrounds obstructing free passage by Fair guests. Mr. Copeland seconded the motion, which passed unanimously.

OLD BUSINESS:

Mr. Deschaine addressed the request by the Exeter Youth Soccer Association to use Stevens Park. The Board had two questions from last week before they could make a determination on approving the use or not. The first question was how many Stratham children are associated with the Exeter Youth Soccer Association. The answer was there are 37 Stratham children playing (2 at Age 10, 16 at Age 11, 9 at Age 12, 9 at Age 13 and 1 at Age 14). The second question was clarifying whether they wanted to use both fields or just one field. The answer was they used both fields last year so they would like to make the same request. The Board agreed that more information is needed before making a decision. Mr. Deschaine will make arrangements to have member(s) from the Recreation Commission and the Exeter Youth Soccer Board present at next week's meeting along with representatives from the Stratham Youth Soccer.

Mr. Deschaine reported on the status of the backlog of minutes. Everything is dictated up to, but not including, last week's meeting.

Mr. Deschaine reported on the status of the hiring of a new Parks and Recreation Director. Interviews should be scheduled soon.

At 10:21 pm, Mr. Canada moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Stacey J. Grella
Executive Assistant

Paul Deschaine
Town Administrator