

MINUTES OF THE AUGUST 23, 2010 BOARD OF SELECTMEN'S MEETING

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

At 7:35 pm, the Chair opened the general meeting of the Board of Selectmen.

TREASURER'S REPORT: Kevin Peck reported that he had \$5,040,244.55 in the general checking account.

DEPARTMENT REPORTS:

Parks & Recreation: Park Ranger Kim Woods was present to give her monthly report. She stated the grass on the ball fields is coming back nicely.

Ms. Woods stated the snow blower for the tractor has arrived and she will be making the necessary adjustments to get it ready for the winter season. Ms. Woods also wanted to confirm that the Town receives \$1,000 from the Park Association for their contribution towards the snow blower.

Ms. Woods has been having conversations with Dan Crow in reference to leveling the skating rink so the ice is better.

Ms. Woods stated she received permission from Tom Fosher to bush hog the power line trail all the way to Gifford Farm Road and that has been completed.

There have been some issues with the light fixtures on the monument at the Park. Mr. Canada stated the Heritage Commission discussed this at their last meeting and would like to replace them. Ms. Woods will be following up with Dan Whittier as far as determining a price on replacing these lights and will report back to the Board.

Ms. Woods stated the flags that were previously stolen have been replaced.

Mr. Canada mentioned that they have talked about putting Round-Up around the trees at Stevens Park. Ms. Woods mentioned there are permanent mats that go around the base of the tree that cost \$9.28 each. Ms. Woods thinks this might be a better long-term solution rather than using a herbicide and it would look much nicer. Kevin Peck was present and asked if Ms. Woods foresees a problem with them being stolen. Ms. Woods stated there is always that chance, but will keep an eye on them.

OLD BUSINESS:

Mr. Canada stated that Dave Short has requested, on behalf of a men's soccer group, to use Stevens Park on five Sunday mornings in the upcoming months. He stated this group would pay the Town \$100 per use. Per the Board's discussion last week, Mr. Canada checked with the Recreation Commission for their input. Mr. Canada also received input from several people in

the horticultural business, such as Dave Short, Taylor Brinser from Aqua-Tech, and Tom Rowell from New England Nurseries. A concern was having a rain date available on Sundays for the K-1 and K-2 groups if they were rained out on a Saturday. Another concern was the condition of the fields. Mr. Canada thinks they are in pretty good shape right now. Kevin Peck was present and stated that even though he is a member of the Stratham Recreation Committee, his comments are not reflective of the Board. However, as a long time resident, he does not personally feel that five games will cause undue wear on the field. He also stated he thinks the \$500 fee will help deter any costs for field maintenance. Mr. Canada moved to allow Shawn Day to reserve one field at Stevens Park for August 29th, September 26th, October 17th, October 24th and November 7th at a cost of \$100 per use. Mr. Copeland seconded the motion, which passed unanimously.

CHAIRMAN'S REPORT: Mr. Canada stated there was a report of EEE in Freedom, NH where a horse contracted the disease. Mr. Copeland expressed a concern that the Governor's Office and the NH Department of Fish and Game did not respond quickly enough to the Town's request back when the Town asked to spray the marshes. Mr. Canada stated they need to speak with State Senator Maggie Hassan to try and get something in the legislature for this year. Mr. Canada stated that any time the disease is found in Town, there should be at least a three year guarantee that the Town can spray. Mr. Deschaine commented that even though the Town tries its best to treat mosquitoes, some of the best things to do is to get rid of stagnant water in or around property so they don't breed and multiply, don't go out if it can be avoided when the mosquitoes are most active, wear long sleeves and appropriate head gear, and wear repellants that contain DEET.

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

PARK PERMITS/MUNICIPAL CENTER RENTALS:

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

Pax World requested the use of the Park for a company picnic on September 18, 2010. The request was approved.

Michael Engelking requested the use of the Park for a Wiccan/Pagan gathering on October 23, 2010. The request was approved.

The Seacoast Area Homeschoolers requested the use of the Park for a picnic on September 15, 2010. The request was approved.

The Cub Scouts requested the use of the Park for a den meeting and cookout on September 26, 2010. Mr. Copeland moved to approve the request and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

The Cub Scouts requested the use of the Park for a cookout on September 12, 2010. Mr. Copeland moved to approve the request and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

The Cub Scouts requested the use of the Park for their annual Winter Carnival on February 12, 2011. Mr. Copeland moved to approve the request and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

Assessing: Due to Town Assessor Andrea Lewy's absence and recent computer issues, Mr. Deschaine reported that the MS-1 report to the State will not be completed by the September 1, 2010 due date. As a result, the Town will need to request an extension. Mr. Canada moved to request the extension and that the Board all sign as assessors. Mr. Copeland seconded the motion, which passed unanimously.

Administration: Mr. Deschaine stated he received a notice on the upcoming LGC Legislative Policy Conference. They have requested the designation of a voting delegate to the conference. This year there are nine floor proposals on various issues. Mr. Deschaine stated it would be good for the Board to review those proposals and be familiar with them in order to communicate to whoever attends the conference the Town's position on those matters. Mr. Deschaine requested the Board to designate a representative to the LGC Legislative Policy Conference. Mr. Canada moved to appoint Mr. Deschaine to represent the Town at the LGC Legislative Policy Conference. The Board will give Mr. Deschaine specific instructions once it has had a chance to read the information and discuss it. Mr. Federico seconded the motion, which passed unanimously.

Mr. Deschaine stated the Board previously approved the acceptance of the lowest bidder on the Traffic Study for Town Center. Mr. Deschaine presented the Board with the final contract drafts to perform that work. Mr. Canada moved to authorize the Chair to sign the contract as presented. Mr. Federico seconded the motion, which passed unanimously.

Mr. Deschaine stated he was approached by a gentleman who wanted to speak with the Board of Selectmen about selling some Town property. Mr. Deschaine was able to determine that he is a homeowner on Depot Road, who has a very large property that also fronts Morningstar Drive. He was looking at the potential of possibly creating a residential lot off of Morningstar Drive. Mr. Deschaine stated that when this subdivision came through, they tried to incorporate the excess property on either side of the Morningstar Drive right-of-way to either the adjacent properties or other places and no one wanted it. By default, it got included in the right-of-way. Mr. Deschaine and Mr. Daley conducted further deed research and today determined the Depot Road property has frontage on Morningstar Drive. This answered the question of the property being a separate parcel or part of the Town's right of way for Morningstar Drive. It has been determined to be part of the right of way thereby creating the frontage. Mr. Daley's recommendation, now that we've determined the applicant already has frontage on Morningstar, is the resident will need to do his own site analysis and soil testing to see if the property he currently seeks to subdivide is a suitable building lot, given wetlands considerations, or will he need this Town property to have enough uplands to create a lot. The Board will review and formulate questions when and if this comes before the Board.

The finalist for the open Parks and Recreation position is still going through the process of records and reference checks. So far, all has been favorable, but the process has not been completed yet.

SECRETARY'S REPORT: Mr. Canada moved to approve the amended minutes for 8/2/10 and 8/9/10. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada stated he received a request from Colleen Lake to reimburse her \$495.00 for the expenses incurred in establishing with the State DES the Fire House well as a non-transient, non-community public water system. She was required to do so in conjunction with her Town Center Shops project. Ms. Lake's intention is to use the contractually allowed use of the firehouse water for her project. Mr. Deschaine read a letter from Chris Albert of Jones and Beach Engineering dated September 11, 2008 that accompanied Ms. Lake's application stating that the Town's projected usage did not require establishing a non-transient, non-community public water system. Mr. Canada moved to have Mr. Deschaine send Ms. Lake a letter denying her request for reimbursement and in that denial reference her own submission. Mr. Federico seconded the motion, which passed unanimously.

A discussion then took place on the height of some sprinkler heads at the fields at Stevens Park. Mr. Canada had asked Aqua Tech to take a look at the sprinkler heads and they found about 20 of them that need to come up about an inch and a half to avoid a tripping hazard. The cost for this work would be \$225 for the labor and \$55 for the materials for a total of \$280. Mr. Canada moved to appropriate \$280 to have Aqua Tech perform this work. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada stated the second Scamman well was tested on Saturday. It was rated at ten gallons per minute. Mr. Canada commended Fred Hutton and the Highway Department for their quick response to requests for preparing access to the well and having everything ready on Thursday. Work was scheduled for today, but due to the weather forecast, the work was done on Saturday. The Town's consulting engineering firm, Wright-Peirce, believed that the test would be valuable for the data it gained even if the yield was low.

A discussion took place on the location of the Port-O-Potty at Stevens Park. Mr. Copeland has witnessed as many as 20 kids going halfway up the hill and relieving themselves out in the open and then run back down to the bottom where the benches are. Mr. Copeland thinks if the Port-O-Potty was relocated right next to them that they would hopefully utilize that instead. There have been complaints in the past from the residents at the top of the hill that kids are going into their back yards. The Board agreed to remove the Port-O-Potty from the Voc Tech and also to relocate the existing Port-O-Potty at Stevens Park to be more centrally located.

At 8:49 pm, Mr. Copeland moved to go into non-public session to discuss a matter that could affect the reputation of another. Mr. Canada seconded the motion, which passed unanimously.

At 8:57 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed that could affect the reputation of another. Mr. Copeland seconded the motion, which passed unanimously.

At 8:58 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