

## **MINUTES OF THE DECEMBER 13, 2010 BOARD OF SELECTMEN'S MEETING**

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

At 7:31 pm, the Chair opened the general meeting of the Board of Selectmen.

**TREASURER'S REPORT:** Kevin Peck reported that he had \$1,621,673.36 in the general checking account.

**NEW BUSINESS:** Glenn Normandeau, Executive Director of the NH Fish & Game Department, was present at the meeting to discuss the treating of mosquitoes on state lands in Stratham. Mr. Normandeau stated that he recently saw a newspaper article relating to mosquito spraying where Representative Copeland was discussing filing a bill to change the way the current bill reads. He stated he just wanted to come in and introduce himself to the Board and give them his contact information so that regardless of how the legislation proceeds, the Board will have his information in case there are any issues. Mr. Canada thanked him on behalf of the Town and stated the Board appreciated Mr. Normandeau reaching out to them. Mr. Normandeau stated that regarding proposed legislation, he really has no say on that. There is an 11 member Fish & Game Commission that determines the Department's position on legislation by vote. Mr. Canada explained that the concern is waiting to have a health emergency be declared. He stated the Town would like to treat the marshes along the Squamscott River, including the portions owned by Fish and Game, every year and not have to wait for a health emergency to be declared or wait for Fish & Game approval. Mr. Canada stated that Senator Maggie Hassan worked with a group who developed the current policy which was subsequently codified into state law. He stated the problem with the law is that the health emergency can go away, thereby negating Stratham's right to treat state lands, but the disease does not go away. Therefore, the only change that Stratham is looking for in the law is the addition of a phrase changing "...if a health emergency has been declared" to, "...if a health emergency has been declared *or has ever been declared.*" Since a health emergency has been identified in Stratham, the change would allow us to treat the marshes with State approved biological agents as an affirmative right henceforth. Mr. Normandeau said he understands and will take this message to the Fish & Game Commission and will make sure that whoever is handling this issue also knows how to get in touch with him and will make sure we do not have a breakdown like we did last year. The Board thanked Mr. Normandeau for his time and efforts.

**SECRETARY'S REPORT:** Mr. Canada moved to approve the amended minutes for 12/06/10. Mr. Copeland seconded the motion, which passed unanimously.

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

### **DEPARTMENT REPORTS:**

**Administration:** Town Planner Lincoln Daley was present at the meeting to discuss the anticipated Comprehensive Economic Development Strategy (CEDS) projects for the 2010/2011

calendar year. He stated this is basically a process which municipalities submit projects that would qualify for development in the hopes of receiving some kind of funding to advance their projects. Through discussions with the Public Works Commission (PWC) and the Town's outside consultant, Wright Pierce, they have identified a series of short, intermediate and long term projects. Mr. Daley stated he just wanted to explain the various projects (*see attached*) and get initial input from the Board in preparation for the actual submittal of approximately seven individual CEDS applications in time for the December 15, 2010 deadline, which can be met without a problem. In working with the Regional Economic Development Center (REDC), there is some flexibility to modify the application should it need to be updated accordingly. The intent this week is to get the applications in, which will most likely require some amendments along the way to incorporate more ideas, concepts and goals for each of the individual projects. The current projects that are being updated involve the commercial business district, and also, in the Town Center Area, advancing the area Master Plan and the sidewalk projects. Mr. Daley stated that one of the key elements of the CEDS application is looking at regional collaboration in the development of infrastructure improvements for the purpose of improving the economic development opportunities within our commercial Gateway District.

Mr. Deschaine stated the old Great Bay Community College site needs to be listed as a targeted site for economic development. Mr. Daley stated that in working with an independent consultant, they walked the property and identified potential areas where it could qualify as a Brownfield site. There are underground oil storage tanks, and also labs which may qualify if chemicals were poured into the septic system, which may have caused contamination. In addition, there are existing materials that contain asbestos, which would require removal, and which may qualify it for as a Brownfield site. Mr. Canada asked if it is the State's responsibility to clean that up. Mr. Daley explained that the potential buyer of the property would look at receiving some grant money to remediate the site, or at least a portion of the site.

Mr. Daley stated that as part of a regional approach, we emphasize the fact that we are open to discussions with Exeter to explore opportunities for synergies and economies of scale to develop infrastructure improvements of both towns. Mr. Daley stated we are probably at a point now that we could actually file a joint CEDS submission with Exeter. He will talk with Exeter Town Planner Sylvia von Aulock tomorrow to clarify that and possibly create a submission. The Board thanked Mr. Daley for his efforts on this project.

**Police Department:** Chief Scippa was present to report on his Department's activities. He stated that the Board had previously given him permission to spend Capital Improvement Plan (CIP) money for computers with a total expenditure not to exceed \$4,720. Mr. Scippa stated he was able to save about \$1,000 on that expense for the five units and those units are being installed soon.

Mr. Scippa stated that all the snow tires that have been approved have been purchased with the exception of the Chief's car.

Mr. Scippa stated the blood stopper units that were approved have been purchased and will be issued this Friday during Department training.

Mr. Scippa stated that with help from Officer Steve McAuley, they were able to put together a ten question survey and through a survey software company were able to put that survey live on the Town website. This will provide statistical data and will provide a gauge on how the Police Department is performing, according to residents. Information will also be published in the newspaper to make residents aware of the survey. Mr. Canada suggested sending out a notice along with the February dog license renewal reminder letter to notify residents they can fill out this survey on the website. The survey is limited to one response per computer and will be available until February.

Mr. Federico commented that there are some lights that are out at the Police Department building and asked whose responsibility it was to have them fixed. Mr. Deschaine replied that the responsibility for physical plant was on the Department head. Mr. Scippa stated that the situation has been brought to his attention and stated that Officer Mike Gobbi has a scissor lift and has offered to take care of this. The Board is fine with this since Mr. Gobbi is a licensed and insured contractor. The light bulbs will be purchased at Consolidated Electric in Portsmouth.

Mr. Scippa stated he was approached by a citizen about the school traffic lights not working at the Cooperative Middle School (CMS). He stated Officer Mike Oliviera spoke with the school and the school had them repaired that day.

Discussion then took place regarding the condition of the Police Department's (2) four-wheel drive vehicles. Mr. Scippa stated, in response to the tenure status of our existing cruiser lease, we are in our second year on the lease; with about a year and a half remaining. Mr. Canada asked about the Police Department possibly using the Town's four-wheel drive vehicles under exigent circumstances. Mr. Scippa stated that if it was necessary to do so, they could make due with a portable radio and a magnetic blue light; however, he would want to refrain from doing that because of the liability of using inadequately prepared vehicles for police purposes. Mr. Scippa stated that oftentimes, Revolving Detail Accounts are used to offset the operational costs of buying cars. Right now there is \$72,900 in that account with no liabilities. The group discussed the pros and cons of leasing versus buying vehicles. Mr. Canada stated they will need to discuss this matter further and asked Mr. Scippa to conduct more research on this matter and report back to the Board.

Mr. Scippa stated he has developed a pay step outline for the Police Department and will email it to the Board for their review.

Mr. Scippa reported he has not heard anything back on the Stevens Park Dog Ordinance from Police Prosecutor Bill Hart yet. He stated that the only portion of the ordinance that caused concern for Mr. Hart was the increase in the fine if the person chose to go to court or not respond to the summons. Mr. Scippa suggested that instead of using a set fine because it is a violation level offense, the fine be up to \$1,000 for a repeat offender causing a significant problem. That way the Court has the latitude to impose the fine. Mr. Scippa will follow up with Mr. Hart.

Mr. Scippa stated he has some information from Exeter and Newmarket and will be working with Mr. Copeland on possibly changing the Town's fine schedule.

The group then discussed the Hawkers and Peddlers license. Mr. Scippa stated that the State now provides for municipalities to require that hawkers and peddlers who obtain a Town permit be required to be checked through the State criminal database. This is not an easy process according to the new laws, and there is some time and cost involved on the part of the person applying for the permit. Mr. Scippa stated that for a hawker or peddler that is coming into Town, this is something we may want to consider and require them to have a background check done through the State. One option is the local police department can do the fingerprinting and send that to Concord. The reply is then sent back to the local police department and then we would issue the Town permit. The alternative is we tell the potential vendor that they can come in and fill out all the appropriate paperwork after they have gone to Concord to get a background check done. Mr. Scippa would be in favor of this latter option since the first option would require a police officer being taken off the road to do the fingerprinting and then sending that to Concord and receiving and processing the information. Mr. Canada stated he agrees with Mr. Scippa in having them go to Concord on their own. The only other concern Mr. Scippa has is for all of the vendors at the Fair who, by definition of the Town ordinance, are hawkers and peddlers. If we were to require this criminal record check, it could become significantly cumbersome to handle all those permits being issued accordingly. Mr. Deschaine stated this would not be exempt from the current ordinance as it is currently written. In the past, the Town has issued master licenses to various groups, such as the SPCA or the Stratham Fair Association, to be the responsible party for their vendors. There will need to be further discussion on possibly amending the ordinance.

At 8:50 pm, Mr. Canada moved to go into non-public session to discuss a contract issue and also a personnel issue. Mr. Federico seconded the motion, which passed unanimously.

At 10:30 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the nature of the matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

#### **PARK PERMITS/MUNICIPAL CENTER RENTALS:**

The following Park permits and Municipal Center rentals were discussed and acted upon:

Shelly Browne from the Gateway School requested the use of the Municipal Center on December 21, 2010 for a holiday party. The request was approved.

**Administration Continued:** Mr. Canada stated that regarding the outdoor sign at the Municipal Center, he believes the sign can get by for a couple more years with a little bit of touch up. He stated that since there is a Capital Improvement Plan (CIP) fund established for the outside of Town Hall, it would be appropriate to use that money when the time comes to replace the sign. Mr. Deschaine stated they have not fully expended the Library remodeling project fund, but is not sure how much remains. Mr. Federico moved to allow Mr. Deschaine to replace the Municipal Center sign and the Wiggin Memorial Library sign, if the appropriation can come out of the Municipal Center upgrade project fund, not to exceed \$3,575, to include red lettering and a reader board. Mr. Copeland seconded the motion, which passed two (2) for and one (1) against.

Mr. Deschaine asked for clarification on the days the Transfer Station will be open in January. The Board agreed that the Transfer Station will be open on January 8<sup>th</sup> and January 22<sup>nd</sup>, the second and fourth Saturdays for that month.

The Board then opened the two sealed bids received for the removal of the heating oil from the Municipal Center underground tank. The first proposal was from United Industrial Services to remove the #2 oil from the tank and deliver it to the Stratham Memorial School at a cost of \$.22 per gallon with a \$900 minimum load charge. The second proposal was from Abeniqui Carriers listing two options. Option 1: purchase the #2 oil at \$1.25 per gallon based on 4,100 gallons for a total purchase price of \$5,125, using their equipment to pump out and remove the product. Option 2: remove the #2 oil from the underground tank at the Municipal Center and deliver it to the storage tank at the Stratham Memorial School at a price of \$.1281 per gallon based on 4,100 gallons for a total of \$525. Mr. Canada is going to talk to Bob McAlpine and negotiate a price to the school.

At 11:00 pm, Mr. Canada moved to adjourn. Mr. Federico seconded the motion, which passed unanimously.

Respectfully Submitted,

Reviewed By,

Stacey J. Grella  
Executive Assistant

Paul R. Deschaine  
Town Administrator