

MINUTES OF THE FEBRUARY 7, 2011 BOARD OF SELECTMEN'S MEETING

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

At 7:32 pm, the Chair opened the general meeting of the Board of Selectmen.

NEW BUSINESS:

At 7:33 pm, Mr. Canada opened the public hearing regarding the 2011 Warrant. He stated that this hearing has been publicly posted and they will waive the reading of the actual Warrant (*see attached*) at this time and address each one individually. He stated the first few articles pertaining to zoning and the election of officers will be voted on at the Town Offices on Tuesday, March 8th. The polls will be open from 8:00 am to 8:00 pm. Articles 10 through 22 will be discussed at the Stratham Memorial School on Friday, March 11th, at 7:00 pm. Mr. Canada then read each article separately.

Article 10 regarding a bond issue for land conservation purposes: Resident Nancy Hunter from 2 Brown Ave. asked if there would be \$441,000 still left in the fund. Mr. Canada stated we spent most of that now. Ms. Hunter stated we would actually only need \$220,000 to make the \$685,000. Mr. Deschaine explained that the \$685,000 would bring back to the \$5,000,000 the amount that was authorized in 2002. Chair of the Ad-Hoc Land Protection Committee and resident Roger Stephenson was present and stated that because the Town lost bonding authority due to a decision of Bond Counsel, this article is necessary in order to recognize the Town's authority to borrow a total of \$5,000,000, as envisioned in 2002. He explained this is a re-authorization; not asking for new money. He stated that since 2010, we have protected, with the assistance of 10 property owners, almost 500 acres of land so far. We have taken advantage of almost \$2,000,000 worth of federal and state dollars to stretch the Town money. Mr. Canada commented that his Committee has done a great job in parlaying the money into quite a bit of additional money.

Article 11 regarding the 2011 operating budget: Mr. Canada stated that the Board has worked very hard to get this down as much as possible. It is always a challenge to be fair to everyone to fund the programs that people want to have funded. The Budget Advisory Committee went through all the departmental requests line by line. Mr. Deschaine stated the departments were very successful in reaching the goal set by the Board in trying to do a 5% reduction overall as far as their expenditures, exclusive of payroll items. The Board used the November CPI for the Boston/Nashua/NH areas, which was .6% this year. The Board decided on extending an across the board pay increase of 1% to all regular Town employees. Mr. Deschaine stated the largest decrease is in the area of emergency dispatch services.

Article 12: Mr. Deschaine went through the Capital Improvements Plan (CIP) summary (*see attached*) in detail. Resident Michael Hunter from 2 Brown Ave. asked how many computers there are for the government, the police, and the library. Mr. Deschaine stated the areas each have about 15-20 individual workstations plus their own server. Mr. Stephenson inquired as to the land acquisition for cemeteries. Mr. Canada clarified that the Town had been looking at a

particular piece and because that is not working out too well, it was put in there as a place saver from last year for this year. He further stated we are looking into a smaller parcel that would be far less expensive.

Article 13 regarding purchase of the David and Virginia Foss property: Mr. Canada stated that they have been working hard to develop infrastructure in the Commercial District. The Town has been clear that they do not want to expand the footprint of the Commercial District. The Board wanted to increase the percentage of the tax bill that is paid by commercial property owners, thereby decreasing what is paid by residents. To do that, there needs to be a more intense use of the area we do have. Part of this infrastructure would be a potable water system. With the purchase of the Foss property at 28 Bunker Hill Ave., the Town would save about \$400,000 over the cost of erecting a structurally elevated tank on land currently owned by the Town. Further, the Foss parcel could possibly be re-sold after installing the tank and make the total cost even less expensive.

Ms. Hunter asked why the house is being purchased as part of this. Mr. Canada stated that the property is being sold with the house or not at all. She stated she spoke with Town Planner Lincoln Daley last December and asked him about the Gateway District. There is no road or land there and no one is selling their land to put up these buildings. She questioned why we need a water tower when we do not have buyers for land that is not on the market for businesses that are coming in. Mr. Daley was present at the meeting and explained in order to encourage developers to build in the Gateway District, the infrastructure needed to increase the intensity, but also allow for such things as municipal sewer or water. Many of the developers and property owners identified septic and lack of water and sewer as being major hurdles.

Resident Peter Wiggin was present at the meeting and asked how many acres of land would be involved. The lot is 1.73 acres. Mr. Stephenson asked if there would be any visuals at Town Meeting to show what this might look like. Mr. Deschaine stated that would be difficult because the tank is not anticipated to be more than 30 feet high. Mr. Wiggin asked if there would be easements required to get from the tower to the commercial properties. Mr. Canada stated they are working on those easements. Resident Heidi Hanson from 13 Strawberry Lane stated it doesn't seem like we really know what the Gateway District is going to look like and is wondering what is pushing this forward at this point, especially during this difficult economic time.

Mr. Deschaine explained that there have been a number of property owners approached by different interests to come to Stratham. One of the first things they ask is if we have water and sewer. No one is going to show an interest unless they see signs from the Town that we are willing to make those investments and purchasing this property is a move in the right direction. Ms. Hanson stated that we just recently purchased this conservation easement, which is a large tract of land right along the Commercial District and that would be off limits. Mr. Canada stated there is only 200 feet of that conservation land that has frontage on Portsmouth Ave. Mr. Wiggin asked if the intent would be to re-sell the house once the land was acquired for the water tank. Mr. Canada stated that is the thinking at this point and there is no intent to tear down the house.

Ms. Hanson asked about where the pumping station for the water tank would be located. Mr. Canada stated it would be near the wells, perhaps behind King's Highway Plaza and/or on the Scamman property where we just bought the conservation easement and water rights. Mr. Hunter asked if this property has been zoned for a water tank. Mr. Deschaine stated it is considered an institutional use, which is permitted in that zone. Ms. Hunter asked how big the water tank is going to be and how fast is it going to be filled. She is concerned about drawing down the water table at her own home. She was told that the water would come from municipal wells from behind King's Highway Plaza and/or the Scamman property.

Mr. Stephenson asked about the 36 acres of the adjacent Kathleen Foss property currently proposed as a development and before the Planning Board for cluster development. Mr. Stephenson asked if the developer would be agreeable to share in the costs of the right-of-way that is necessary for the piping to the water tank. Mr. Canada stated that has not been negotiated yet. Resident Joyce Charbonneau asked if a fair market appraisal was done. Mr. Canada stated they took the asking price and the Town's assessment price and worked something out right in the middle; there was no appraisal done.

Article 14 regarding the establishment of a Special Revenue Fund: Mr. Canada explained that right now, when a cemetery plot is purchased, the cost is \$500. Of that, \$400 goes into a trust fund, which supports our perpetual maintenance agreement, which is part of buying a cemetery plot. The income from that trust fund supports, and in theory, would pay for all of the upkeep of the cemetery. The remaining \$100 goes towards filing a deed (\$12) and the remaining \$88 goes to the General Fund. The Board thinks it makes sense to put that \$88 towards buying land in the future rather than just spend it today because at some point, the Town will have to provide more cemetery land.

Article 15 regarding the use of money from the EMT fund for training: Mr. Copeland explained that no taxes would be used. The Town has a system whereby if you require an ambulance and that Town ambulance transports you, the Town bills your insurance for a set amount of money. The Town takes that money received from insurance and it is put in a separate fund. This fund was established to buy new ambulances, supplement Fire Department truck purchases, buy related equipment for new trucks and ambulances, and pay for training. Mr. Stephenson asked how much was in the fund now. Mr. Deschaine said \$164,000 at the end of December 2010. Ms. Hanson asked why the residents have to approve it since it is their money to take out of their account. Mr. Copeland stated that approval is needed from the voters to take the money out of that fund.

Article 16 regarding additions to the Accrued Benefits Liability Expendable Trust: Mr. Copeland explained that when a Town employee retires with accrued vacation and sick time, the Town needs to have money to pay those cash dollars out when they retire. The fund was created so the Town could sustain up to four or five employees retiring in one year, without any further hindrance to the Town's budget. Mr. Hanson asked if new employees are grandfathered into the system where they continue to accrue leave time and then retire or if that would be cut off at some point. Mr. Canada stated that employees can accrue half of the sick time and the other half goes into a "sick bank" for employees to use if needed for any long-term illness. The current cap on sick leave that can be accrued is 45 days. The current cap on vacation time that can be

accrued is up to 20 days. Mr. Copeland stated that there is no change for new employees; it is the same system. Mr. Hunter asked why this is not part of the Town budget and a portion of that would be used. Mr. Deschaine stated that in effect, that is what this article does. Every year, because employees do not use time, there is surplus payroll money in the budget. That cannot be moved to another fund; it has to stay in the General Fund and declared as part of the undesignated fund balance. That fund balance is then used to offset taxes in the coming year. If we did nothing, there would be an unfunded liability, and when the employee(s) retire, the Town would have to pay this out of operations in one big hit without any ability to plan for it. Mr. Hunter stated he understands the plan, but asked where the money comes from for this. Mr. Deschaine stated that ultimately it has to be raised in order to be able to appropriate it

Article 17 regarding a recycling initiative: Mr. Deschaine explained that over the last 10 years, the Lamprey Regional Cooperative (LRC) has been looking at various alternatives to provide enhanced recycling services to its member towns. There are 13 towns that belong to the LRC and there is not enough trash or recyclables generated in that limited number of towns to make some improvements to the system economically viable. Mr. Deschaine stated that the Concord Regional Solid Waste/Resource Recovery Cooperative (CRSWRRC) has 25 towns. Liz Bedard from the CRSWRRC was in the audience. She stated the CRSWRRC came to the same conclusion and decided they could not expand into a single stream recycling program with only 25 towns. However, they felt they could recruit other non-member communities to participate and make it economically viable. During the course of this year it was determined that a Cooperative to Cooperative agreement would not be approved by Bond Counsel. Now, the individual member towns of LRC will have to agree if they wish to participate. Ms. Bedard explained the concept in greater detail for the audience. The agreement has been negotiated and is now just waiting for the voters' authorization to move forward. Ms. Bedard explained that right now, Stratham does not receive any revenue for all of the recyclables being generated. With this project, the Town would receive a portion of any profits made by the sale of materials. The proposal would also mean extra convenience for the homeowner because recyclables would all go in one bucket and would not have to be separated.

Articles 18 & 19 concerning a heritage preservation fund: Mr. Canada explained that the Heritage Commission would like to establish a fund that would allow for the acquisition of historic structures and/or historic preservation easements on historic structures. The Board has endorsed Article 18 establishing this fund. Resident and Heritage Commission Chair Becky Mitchell has joined with other voters and under Article 19, they are asking for \$200,000 for this fund. Ms. Mitchell was present at the meeting and stated that the Heritage Commission supports the creation of a Capital Reserve Fund that enables the Commission, subject to the approval of the Board of Selectmen, to purchase, acquire, manage, improve, protect, and sell historical and cultural resources within the Town. She stated it is the intent of the Heritage Commission to use such a fund to act effectively and proactively to protect historic structures in Stratham and protect the Town's interest in preserving those properties. When structures are purchased, it will generally be for the ability to place restrictive covenants on it and then to resell it. She stated the Capital Reserve Fund creates a structure and a tool that enhances the Heritage Commission's ability to raise private funds, to compete for grants for matching funds, and to recycle any income produced to fund future projects. Ms. Mitchell stated that to neglect to fund the Capital Reserve Fund is to defer all of the benefits of the creation of the fund at a time when the Town

faces further and imminent loss of historically significant structures. Taxpayer support for this appropriation will enable the Heritage Commission to move from advocacy to action. Ms. Hanson asked if this request would require a 17-cent increase per thousand dollars of assessed property values. Mr. Deschaine stated that was correct and the average home would pay \$53.30. Ms. Hanson asked if there were any projects the Heritage Commission was currently looking at. Ms. Mitchell stated it is not always possible to discuss transactions, but there are plenty of historical properties that are in obvious need of protection and preservation. Ms. Hanson asked if the Heritage Commission has looked at raising funds privately. Ms. Mitchell stated that is always an option and the Commission would look to find private funds to add to this, but it is not an entirely realistic option.

Article 20 regarding a change in election polling hours: Town Clerk Joyce Charbonneau explained that the residents are not voting on the new polling hours at Town Meeting. The residents are voting on whether to allow this question to be on the ballot in November of 2012. If allowed, the first time the hours would change for a state election would be September 9, 2014. She further explained that the state is having the Town do more and more work on the day of an election and election workers are there from 7:00 am and sometimes until 1:00 am. She stated 91% of the towns in New Hampshire close at 7:00 pm. She also stated that if people cannot get to the polls between 8:00 am and 7:00 pm, they have an option of coming in to vote absentee. Ms. Charbonneau said that they would not turn anyone away; the polls would not close until there was no one in line.

Article 21 regarding the publishing of town assessments: Mr. Canada explained that in the past, the Town Meeting directed the Board of Selectmen to print all of the assessed values in the Town Report every five years. He stated that it takes up a lot of room in the Town Report and it costs money to do so. Therefore, they request permission to discontinue publishing the assessments but that the assessments would be available on the Town website with yearly updates. Mr. Wiggin suggested having one hard copy printed that would be kept at the Library. The Board agreed with the suggestion. Mr. Deschaine added that there is also a permanent record in the Tax Collector's office.

Article 22: Mr. Canada stated this article is basically a catch all should there be additional business or announcements to discuss.

Mr. Canada thanked everyone for coming and stated the Board will be voting on their recommendations for each article shortly.

The Chair closed the public hearing at 9:26 pm.

Article 10: Mr. Canada moved to recommend Article 10. Mr. Copeland seconded the motion, which passed unanimously.

Article 11: Mr. Canada moved to recommend Article 11. Mr. Federico seconded the motion, which passed unanimously.

Article 12: Mr. Canada moved to recommend Article 12. Mr. Copeland seconded the motion, which passed unanimously.

Article 13: Mr. Canada moved to recommend Article 13. Mr. Copeland seconded the motion, which passed unanimously.

Article 14: Mr. Canada moved to recommend Article 14. Mr. Federico seconded the motion, which passed unanimously.

Article 15: Mr. Canada moved to recommend Article 15. Mr. Federico seconded the motion, which passed unanimously.

Article 16: Mr. Canada moved to recommend Article 16. Mr. Copeland seconded the motion, which passed unanimously.

Article 17: Mr. Canada moved to recommend Article 17. Mr. Copeland seconded the motion, which passed unanimously.

Article 18: Mr. Canada moved to recommend Article 18. Mr. Federico seconded the motion, which passed unanimously.

Article 19: Mr. Copeland moved to not recommend Article 19. Mr. Federico seconded the motion, which passed two for and one against.

Article 20: Mr. Canada moved to recommend Article 20. Mr. Copeland seconded the motion, which passed unanimously.

Article 21: Mr. Canada moved to recommend Article 21. Mr. Federico seconded the motion, which passed unanimously.

DEPARTMENT REPORTS:

Highway: Fred Hutton was present at the meeting to discuss his department's activities. He stated that the clutch that initially was thought to need replacing in one of the trucks was actually repaired by working on the adjuster instead. The cost came to under \$200, which saved quite a bit of money. He stated the Ford one-ton truck is at Atlantic Transmission because the transmission started slipping. He will not have a price for those repairs until the truck is returned. One of the Dodge trucks had to be towed because it stopped running while driving down the road. It has since been repaired and is running now. The other Ford truck has to go to the garage to have some belt and pulley work done. Everything else is running good.

Mr. Hutton stated that he went to see what the roads look like once the snow has melted. A lot of people have been calling about mailbox damage from the snowplows. He stated that at least 50% of the mailboxes have not been dug out. Most of them have snow piled over them. Mr. Hutton received one complaint where the person said their vehicle was hit by a rock from a plow and they filed a police report. He believes it was either a state plow that caused this or even

possibly damage from a pellet gun. The Board agreed that Mr. Hutton should say he talked with the Board and the Town is not going to accept any responsibility for that incident.

Mr. Hutton stated he will be sending Russell Stevens to the Municipal Center tomorrow to work with Town Custodian Charlie Browne, who is back to work on a limited basis due to an injury.

Mr. Hutton stated the part-time employees are getting overtime with all the snow that we have had, which means they have been working at least 40 hours in a week. The Board confirmed with Mr. Hutton that either he or Foreman Al Williams are reviewing the hours submitted before turning in for payroll.

Mr. Canada stated there was a complaint from a resident on Patriots Road about mailbox damage. He stated the real problem was the not necessarily the fact that their mailbox was damaged, but the fact that they never got a call back from the Highway Department, and that is not acceptable. Mr. Hutton stated that with the hours he has been working and not feeling very well, there have been a couple of days that he never checked the answering machine. He also said a change by FairPoint required a new password be established but he did not know about the requirement for some time. Consequently, he was quite delayed in getting some messages. Mr. Canada stated this complaint was before the recent string of snowstorms and also stated that it is unacceptable with the Board not to return phone calls.

Mr. Canada then brought up last year's paving budget. He stated there were some coding errors that led us to severely overdraft the paving line and under draft the road reconstruction CIP line. Mr. Hutton stated sometimes he codes items and they re-coded by someone else and not applied to where he wants the item to go. Mr. Canada stated \$120,000 was budgeted and \$199,000 is how it was coded. Mr. Hutton stated his intention was to spend the \$120,000 and then the rest of it would come out of the CIP budget and whatever was left over would go towards next year. Mr. Canada stated they count on the Department Heads to maintain their own budget.

Mr. Canada stated that the Highway Department normally does a great job plowing. However, on January 12th he stated there were about 5 or 6 inches of snow on the ground in the area of Frying Pan Lane and Tall Pines Drive. Mr. Hutton stated that by the time they return from a complete route, the roads are covered again and it appears as though they were not plowed at all. Mr. Hutton checked his logbook, which stated they started plowing at 2:00 am and ended at 4:00 pm the next day. He stated they made their rounds, but were getting two or three inches an hour and it takes more than three hours to make a complete circle of the roads.

The group then discussed the amount of meals being purchased at the Country View Restaurant. Mr. Copeland inquired as to a specific times when they started plowing and then go to breakfast. Fred said they may start at 2:30 am, and at 6:10 am, they were at the Country View for breakfast. His concern was that no one is on the street during the time when people are going to work. Mr. Copeland stated that in this particular instance, they were being paid for six hours and only working four, plus the Town paid for two meals and he stated he has a problem with scenarios such as these. The Board understands it is hard on the people plowing during a hard snowstorm and sometimes it is necessary to shut down and have a break, but it seems like this is happening too often. The Board stated they are concerned about the amount of time and money being spent

and it needs to be used more judiciously. If there are real strategic reasons for the Town to buy a meal, that is acceptable. Mr. Hutton will try to go easier in the future. Mr. Canada commended Mr. Hutton on detailed reports/logs.

Mr. Copeland mentioned replacing the reflective street signs and the criteria that the Town needed to meet. He stated he researched this and has literature from the Secretary of Transportation. The material says that not every sign needs to be replaced by the date that it mentions; the process needs to be started on an as-needed basis by that date. Mr. Copeland just wanted to make sure everyone was on the same page that all that needs to be done is replace signs as needed; we do not need to replace every sign in Town by the specified date.

Mr. Copeland stated that some days there is a chain across the salt shed and some days there is not. Mr. Hutton stated he left it unlocked the other day because salt delivery trucks were coming before he could get there, but it should have been locked on Sunday.

At 10:45 pm, Mr. Copeland moved to go into non-public session to discuss a personnel matter and court negotiations. Mr. Federico seconded the motion, which passed unanimously.

At 11:13 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. Federico seconded the motion, which passed unanimously.

TREASURER'S REPORT: Mr. Deschaine reported that there is \$4,711,933.99 in the general checking account.

SECRETARY'S REPORT: Mr. Canada moved to approve the amended minutes for 01/24/11 and 1/31/11 (including the February 1st continuance). Mr. Federico seconded the motion, which passed unanimously.

PARK PERMITS/MUNICIPAL CENTER RENTALS: The following Park permits and Municipal Center rentals were discussed and acted upon:

Reverend Michael Engelking requested the use of the Park on April 30, 2011 for a winter solstice event. The request was approved.

Kelly Croteau requested the use of the Park on May 8, 2011 for a birthday party. The request was approved.

David Canada requested the use of the Park on August 21, 2011 for a Tri-Town Republican Committee picnic. The request was approved.

Richard Rugg requested the use of the Park on September 11, 2011 for the Greenland Veterans Lobster Bake. The request was approved.

Lois Laurence requested the use of the Park on September 17, 2011 for a Philanthropic Educational Organization Lobster Bake. The request was approved.

At 11:28 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