

## **MINUTES OF THE SEPTEMBER 26, 2011 BOARD OF SELECTMEN'S MEETING**

**MEMBERS PRESENT:** Chairman David Canada, Selectman Tim Copeland, and Town Administrator Paul Deschaine. Selectman Bruno Federico will be arriving later in the meeting.

At 7:18 pm, Mr. Canada opened the meeting and then moved to go into non-public session to discuss a personnel issue. Mr. Copeland seconded the motion, which passed unanimously.

At 7:30 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

At 7:36 pm, the Chair opened the general meeting of the Board of Selectmen.

**SECRETARY'S REPORT:** Mr. Canada moved to accept the amended minutes for 09/19/11. Mr. Copeland seconded the motion, which passed unanimously.

**NEW BUSINESS:** Jay Diener was present at the meeting to discuss the logistics for the upcoming Great Bay 5K road race on October 29, 2011 and request the Board's approval to use Stratham Hill Park as they did last year. The expected attendance is between 800 to 1,000. Mr. Diener stated that everything went very well at last year's race (*Bruno Federico joined the meeting*). Mr. Canada moved to approve the use of the Park for the Great Bay 5K, they are to bring in Port-O-Potties and not use Town facilities, and they are to hire two police officers for a traffic detail. Mr. Copeland seconded the motion, which passed unanimously.

Laura Batchelder from the Stratham Memorial School was present at the meeting to request the use of Stratham Hill Park for some team building activities on September 30, 2011 and for a cross-country race on October 12, 2011. Ms. Batchelder stated there would be buses from other schools coming in and she also requested the use of the bathrooms at the 4-H Pavilion and the Scamman Pavilion, as well as the use of power at the stage. Mr. Copeland moved to approve the use of the Park on September 30, 2011 and to waive the fee. Mr. Canada seconded the motion, which passed unanimously. Mr. Copeland moved to approve the use of the Park on October 12, 2011, to include parking facilities and bathroom use, and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

### **DEPARTMENT REPORTS:**

Assessing: Town Assessor Andrea Lewy presented one Veteran Credit application (see attached). Mr. Canada moved to approve the Veteran Credit application for George Monahan for 2012 as recommended by Ms. Lewy. Mr. Copeland seconded the motion, which passed unanimously.

The group then discussed the assessing of telephone poles in right of ways. Ms. Lewy stated that in the past, they have been tax exempt, but due to new legislation, they are now going to be assessed effective January 1, 2012. She stated there are currently 2,143 poles in the Town. Out of those, 20 are either privately owned or solely owned, and the remaining poles are owned by Unutil and Fairpoint. She stated there have been several discussions with the Department of

Revenue Administration (DRA) and other assessors to come up with the methodology on the assessments. She stated that the MS-1 that was previously signed by the Board that went to the State did not include the new potential value. Mr. Deschaine stated that in a technical sense, there is property that is valued that is being un-assessed at this point and the Town has the opportunity to assess it. However, the methodology by which this is done is so unclear that if the Town were to include it into the values of the MS-1, the Town would get large abatement requests creating a larger degree of uncertainty for the tax rate and more particularly the overlay. Ms. Lewy recommended that she continue to collect data from the other assessors and the DRA and make a decision at a later date. If the Board decides to do a supplemental warrant, there is still time to do that. The MS-1 can be amended up until the setting of the tax rate. The Board agreed to follow up on this matter next week.

**OLD BUSINESS:**

Highway employees Fred Hutton and Tim Slager were present at the meeting to discuss the draft Winter Parking Ban Ordinance with the Board. Mr. Hutton stated he would like to see no winter parking at all from November 1<sup>st</sup> until April 15th. Mr. Federico stated there is not a lot of areas in Stratham where it is necessary to park on the street. His recommendation is to have a winter parking ban where no car can park on a street 24 hours a day during the winter months. The Board thanked Highway for their input and stated the public hearing has been scheduled.

**TREASURER'S REPORT:** Kevin Peck reported that he had \$4,172,398.52 in the general checking account.

The group discussed the idea of moving the Town Meeting from March to May. Mr. Deschaine stated it is an elaborate process and typically the fiscal year is moved and it would then be necessary to create an 18-month budget.

**PARK PERMITS/MUNICIPAL CENTER RENTALS:**

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

Jo-Ellen Courtney from the Children's Hospital at Dartmouth requested the use of the Firehouse from December 5 through December 9, 2011 for child passenger safety training. Mr. Copeland moved to approve the use and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

Dileep Kolli requested the use of the Municipal Center on October 2, 9, 23 & 30, 2011 for cultural activities. Mr. Canada moved to approve the requests. 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.

**ADMINISTRATION:**

Mr. Deschaine updated the Board on the FairPoint performance bond for Long Hill Road project. He stated the work for the special line going up Long Hill Road to the communications tower is progressing soon. Last he knew they were going to directional bore, but there is still excavation pits that have to be done that could have damaging affects to the road if it is not completed correctly, so FairPoint has posted a \$10,000 bond to cover their work. The visibility issue still exists at the corner and that is a separate issue that the Board will address another time. Mr. Federico moved to accept the bond of \$10,000. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine stated the Town had submitted the preliminary damage assessment from Hurricane Irene and the State has asked the Town to fill out an intent form as to whether the Town will claim for any Category B public assistance. The Board requested that Mr. Deschaine find out when the deadline is and what the costs involved would be.

Mr. Deschaine stated there is a call for volunteers for the Household Hazardous Waste Collection on October 1<sup>st</sup>. Mr. Deschaine will be attending and advised the Board that if they were interested, to arrive at the Public Works garage on Route 85 at 8:00 am.

Mr. Federico moved to hold Trick or Treating on Sunday, October 30<sup>th</sup>, from 5:00 pm to 7:00 pm. Mr. Canada seconded the motion, which passed unanimously.

**NEW BUSINESS CONTINUED:**

The CMS Music Boosters have requested a raffle permit. Mr. Canada moved to allow the CMS Music Boosters to have a raffle upon submission of a request and supply sufficient information to satisfy Mr. Deschaine; if not to Mr. Deschaine's satisfaction, then appear before the Board of Selectmen next week. Mr. Copeland seconded the motion, which passed unanimously.

David Short, as the organizer of the Gordon Barker No Brakes Bike Race, has requested to have a police detail this year to help traffic get in and out of Jack Rabbit Lane. He requested that the Board waive the administrative cost of that police detail. Mr. Deschaine explained there are three different fees involved: the cost for the officer's time, the administrative overhead, which includes retirement and Medicare, and another cost if a police cruiser is necessary. Mr. Copeland moved to waive the vehicle portion of the detail costs for the Gordon Barker No Brakes Race. Mr. Federico seconded the motion, which passed unanimously.

Mr. Canada moved to rescind the previous motion to approve the amended minutes from 9/19/11. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Canada moved to appoint Peter Wiggin to the 300<sup>th</sup> Committee. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Copeland stated that Sgt. Pierce had missed a deadline for cell phone reimbursement for last month due to his very busy schedule with investigations. Mr. Copeland moved to reimburse Sgt.

Pierce the monthly stipend for cell phone usage to be paid with the next special payroll that includes cell phone reimbursements. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine stated that he would report back to the Board on October 17<sup>th</sup> regarding the status of the plaques for the Fire and Police Departments.

Regarding integrating the Fair with the Fire Department, Mr. Deschaine stated he did get an email from Town counsel concurring with Mr. Deschaine's suggested changes in the trust documents. The Town would need to decide on whether it should be a municipal trust or a private trust. Mr. Deschaine stated a private trust would be much more flexible than the confines of the statute. He will update the Board on this matter along with the matter of integrating the Fair audit with the Town's on October 17<sup>th</sup>.

Mr. Deschaine stated that regarding the alarm monitoring RFP, he had compared all of the bids and he reached out to the lowest bidder to clarify a few items. He has not been able to follow up due to being out of the office at a conference. He will report back on this matter on October 3<sup>rd</sup>.

Mr. Deschaine stated that the phone company has completed most of the programming for the new automated telephone system for the Town and it may be in place this week. He will update the Board on this matter on October 3<sup>rd</sup>.

Mr. Deschaine reported that all of the Town buildings have had the water tested this year. However, the Foss property has not been completed as of this time. There is an opportunity for one more water test for the Municipal Center due in December.

The Board discussed what color to paint the fire tower. Mr. Canada moved to use Sky Gray for the Fire Tower. Mr. Copeland seconded the motion, which passed 2-1.

The group discussed a possible Betterment Districts in Town. There have been past discussions with the Public Works Commission on how to finance water and sewer in the Commercial District, and one thing that would work well would be a Betterment District. The Town would just tax the people who get the advantage of whatever the system is. Currently Betterment Districts are authorized for road improvements only. Consequently, enabling legislation would need to be enacted before the Town could set up a Water and Sewer Betterment District. Mr. Copeland stated that all legislation is closed out now, but we could submit the request next year. The Board will follow up on this matter at a later date.

Mr. Deschaine stated that per the Board's request, he had sent out an inquiry to the LGC as to the proper procedures on conveying the sections of Scamman Road that were no longer in use. This is in answer to the Marsh's inquiry as to how they could obtain the sections of the no longer used cul-de-sac. He stated the response from the LGC was that it takes a Town Meeting vote to formally discontinue a public road or any portion thereof. Mr. Deschaine will talk with Town Planner Lincoln Daley and ask that he take the lead on this matter.

The group discussed the Safety & Wellness Day scheduled for September 30<sup>th</sup> put on by the Joint Loss Management Committee. It is geared to all employees and it is split into two sessions; one in the morning and the same in the afternoon. It will be set up with manned tables with instructional materials similar to a fair and employees can drop in at their leisure.

The Board discussed a complaint received from a resident regarding 1 Jana Lane. Mr. Copeland stated he drove by the house and then notified the Police Department to do a well being check on the two children that reside there. There is a large tree in the front yard that poses a danger. Mr. Canada stated they would be cleaning up the tree damage this week, but if it is not done, then he will draft a letter to send out to the homeowners from the Board.

Mr. Canada stated that part of the process of putting the Historical Society basement back together is installing special sub-flooring. John Sapienza has volunteered to install it and the Historical Society will pay for it. Mr. Sapienza has requested assistance from the Highway Department to loan him a truck and a couple hours labor. The Board agreed to have the Highway Department help move the flooring to the basement site.

Mr. Deschaine stated that when the oil company inspected the oil tank at the Historical Society, they observed a number of deficiencies with the tank installation. This tank was replaced within the last ten years. The information was relayed to Code Enforcement Officer Terry Barnes to look into this matter.

At 9:50 pm, Mr. Copeland moved to go into non-public session to discuss a personnel issue. Mr. Canada seconded the motion, which passed unanimously.

At 10:16 pm, Mr. Canada moved to come out of non-public session and to seal the minutes due to the matters discussed. Mr. Copeland seconded the motion, which passed unanimously.

At 10:17 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