

## **MINUTES OF THE AUGUST 6, 2012 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.

**TREASURER'S REPORT:** Kevin Peck reported that he had \$6,416,943.11 in the general checking account.

**SECRETARY'S REPORT:** Mr. Copeland moved to approve the amended minutes from the regular meeting on 07/30/12. Mr. Federico seconded the motion, which passed unanimously.

### **DEPARTMENT REPORTS:**

HIGHWAY DEPARTMENT: Highway Agent Colin Lavery was present at the meeting and updated the Board on his Department's activities.

Mr. Lavery stated the Highway Department can handle the job of removing the stumps from behind the Municipal Center, but he would like to wait until the end of September or mid-October until some of the vegetation dies off.

Mr. Lavery stated he has spoken with Town Planner Lincoln Daley and Dave Short regarding the installation of the Town Center signs. They are working on confirming the locations and when the installation happens in about a month or so, they will rent a skid steer with an auger from Hayden Equipment at a cost of \$350.

Mr. Lavery stated that he will be meeting with Bell and Flynn to move the drawing along so that Makris, the developer of Bunker Hill Commons, can commit to completing the access road to the Municipal Center parking lot. Items still needed include finishing grade elevations, identifying utility locations/drainage waterways, station baseline and survey data.

Mr. Lavery stated that he will be meeting with the principal at the Middle School to discuss the traffic plans there. It was determined that it is possible to split the entrance to the school into two lanes beyond the Vineyards development. He stated it is wide enough, but there will be no shoulder and it would be a bit tight. The result would be two lanes entering and one lane exiting and nothing would affect the Town's property.

Mr. Lavery then reviewed various ongoing items and upcoming projects with the Board.

Mr. Lavery presented an estimate of \$283.32 to just paint the yellow arrows and the blue handicapped parking spaces at the Municipal Center. Mr. Canada moved to allocate \$283.32 to paint the blue handicapped spaces and the yellow arrows at the Municipal Center. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Lavery discussed a concrete pad at the transfer station that has settled. He is working on a plan to correct the situation since it is part of our landfill capping.

**OLD BUSINESS:**

Dave Short was present at the meeting along with Parks and Recreation Director Seth Hickey to discuss the 2012 bike race and the trail access agreement. Mr. Short stated that before advertising for the bike race, some kind of certainty is needed as to what is going to happen with the trail access agreement. He also stated that he would like to have the Town become a member of the New England Mountain Bike Association at a cost of approximately \$100. The Board had no objection. Mr. Short stated he will approach the landowners and provide them with a copy of the State law pertaining to landowner immunity to liability from trail users, a copy of the race map, and just make contact with them and hopefully get their agreement for use. The Board had no objection.

The group then discussed the Makris Bio-Retention Area #2 status and waterline estimate at the recently approved open space cluster subdivision at 32 Bunker Hill Ave. Mr. Daley was present and stated that it has not been decided who is going to maintain this area and recommended that the Town give this to the Association. The maintenance moving forward is minimal, but does require a certain level of skill. Mr. Lavery stated he thinks it is something the Town could handle, but it is one more thing that would take away from other priorities with the Highway Department and he would rather the Association take the responsibility. Mr. Copeland commented that this is better for the overall conservation of our land and ecosystem. He stated it would make sense to get educated on what these areas are about and how to properly maintain them.

Mr. Daley stated that Makris would own the land itself, but the Town has an easement to access and maintain that bio-retention area if we choose to accept the maintenance requirement. He stated the Planning Board is looking for guidance from the Selectmen if this is going to be Town maintained or Association maintained. Mr. Canada was of the opinion that the Town should maintain Town roads. He referenced other roads where drainage structure maintenance responsibility was accepted as a matter of course and that this was no different than others, with the exception that the Planning Board had mandated a more complex type of system. That should not put additional burden on the citizens of that particular road that is not shared by all citizens. He then moved that the Town accept the responsibility for the maintenance of Bio-Retention Area #2. Mr. Copeland seconded the motion, which passed 2-1.

Mr. Federico had expressed a concern regarding the ownership of the underlying land for Area 2. He stated that he is concerned that if someone claims the Town did not maintain it properly, the Town could be held liable if it did not own the land. Others felt that the easement for the Town to go on the land is acceptable and would neither add to nor diminish the Town's liability exposure.

Mr. Daley stated he was asked to create an engineered plan for the water utility main that would connect the Town property to the Town Municipal Center. Wright Pierce estimated the cost to be \$147,000. He stated \$66,000 was budgeted for this project. The group agreed to wait to hear

back from John Boisvert, the Chairman of the Public Works Commission, after he has reviewed and validated the cost.

**NEW BUSINESS:**

Mr. Daley then presented the Town Center directional sign proposal/application to NH DOT to the Board. He stated there is a cost of \$400 to submit applications for each of the two signs, and this will cover the cost of the production and installation of the two signs. This is a onetime fee plus a \$10.00 annual maintenance fee for each of the signs as well. The group then discussed the location of the four signs. Mr. Canada moved to authorize Mr. Daley to move forward and spend \$800 for the application fees for the signs, and to further authorize Mr. Daley to sign the paperwork. Mr. Copeland seconded the motion, which passed unanimously.

**DEPARTMENT REPORTS CONTINUED:**

PARKS & RECREATION: Mr. Hickey updated the Board on his Department's activities.

Mr. Hickey presented a breakdown from Park Ranger Kim Woods on what percentage of the buildings at the Park are used by the Fair. The Board agreed to pass the information on to the Fair Committee for their review and feedback before adopting it. It will be used among other things as a guide to assigning maintenance costs in the future.

Mr. Hickey stated that there are three baseball diamonds at the Stratham Hill Park and the smallest of the three is all grown in and is used the least of all. He would like to make that a grass infield as opposed to a dirt infield and use it for other activities as well. Mr. Hickey will check with the Baseball Board for their feedback.

Mr. Hickey clarified an invoice from Four Season Fence for the Board.

Mr. Hickey stated the repairs and maintenance to the stage building have been completed. There was more retained moisture present than anticipated so he will monitor for continued deterioration.

Mr. Hickey then updated the Board on current and upcoming events at the Parks and other activities.

The Board then discussed the lack of potable water at Stevens Park and requested Mr. Hickey look into the cost of the regulatory process if the Park met the State's definition of a public water system. They asked him to prepare a summary of these costs plus equipment costs for presentation to the 2013 Budget Committee.

Mr. Hickey stated he ordered new playground equipment for behind the Municipal Center. The cost is covered by the additional compensation for the glider that was returned from Stevens Park due to a recall.

Mr. Hickey updated the Board on youth sports and recreation programming.

The group then discussed the part time seasonal help at the parks and their salaries. Mr. Hickey stated he is anticipating being over budget by approximately \$3,600. The Board noted that a substantial increase had been made in that budget line already this year. While they understood contingencies arose, it is important to stay within budget. After reviewing the budget numbers, the Board agreed that Mr. Hickey may reallocate funds within his budget to accommodate the additional payroll.

Mr. Hickey requested approval for an expenditure for the senior bus trip to Mt. Washington next week. Mr. Copeland moved to allow the expenditure for the senior bus trip to Mt. Washington. Mr. Canada seconded the motion, which passed unanimously.

Mr. Hickey stated they are going to start the Cooperative Sports Boards meetings again starting in September.

Mr. Hickey then discussed program enrollment numbers with the Board.

**MEETINGS:** 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:

Mary Cook requested the use of the Firehouse on September 12, November 14, 2012, January 9, March 13, and May 8, 2013 for Regional Coordinating Council Meetings. Mr. Copeland moved to approve the use and to waive the fees. Mr. Canada seconded the motion, which passed unanimously.

Carol Gulla requested the use of the Park on June 8, 2013 for a wedding. Mr. Copeland moved to approve the use. Mr. Canada seconded the motion, which passed unanimously.

**ADMINISTRATION:**

Mr. Deschaine stated that due to other priorities, he has not been able to draft the landfill monitoring RFP. He stated Pine Tree Engineering is under contract until the end of the year and also needs to deliver the March reporting requirement. He will report back on September 17<sup>th</sup>.

Mr. Deschaine presented the ballot for the new Board of Director election for Primex. Mr. Copeland moved to authorize Mr. Deschaine to complete the ballot for Stephen Bartlett, who is the current business manager of the Portsmouth School District. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine informed the Board that he will be taking a vacation day on August 10<sup>th</sup>.

Mr. Deschaine made the Board aware that there will be a ceremony honoring Officer Chuck Law with a Medal of Valor on August 20<sup>th</sup> at 7:30 pm. Due to the large anticipated attendance, the event will take place in the Community Room. The Board agreed to start their regular meeting at 7:00 pm that night and then move back into the Hutton Hearing Room after the ceremony.

**OLD BUSINESS:**

The group reviewed the newly redrafted Town Employee Emergency Response Policy. After some discussion, the Board agreed on a few minor amendments and signed the policy.

Mr. Deschaine stated he is still refining the draft of the Town history author's contract. This draft still needs to go to the author, who is out of town on vacation. The Board made some minor amendments and Mr. Deschaine will forward the contract to the author.

Mr. Canada stated they have a possible tenant for the Ranger House, but they are unable to move in until October 1<sup>st</sup>. He stated he would like to rent to this tenant only if they could move in September 1<sup>st</sup>, and if not, then we could advertise it again. The Board agreed.

The group then reviewed their priority list for the year.

The Board inquired as to the status of having the minor window repair done. Mr. Deschaine has attempted contact with the contractor several times with negative results.

Mr. Canada asked as to when the Town can expect the audit report. Mr. Deschaine stated he expected to receive a draft last week. Mr. Canada stated he would like to get this started soon so that the tax rate can be set expeditiously in the fall. Mr. Deschaine will have Bookkeeper Valerie Kemp follow up on this matter.

Mr. Canada stated he would like to have a book created with all of the Board's policies as a quick reference.

At 9:57 pm, Mr. Canada moved to go into non-public session to discuss a contractual issue. Mr. Federico seconded the motion, which passed unanimously.

At 10:26 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.

At 10:27 pm, Mr. Canada moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully submitted,

Stacey J. Grella  
Executive Assistant

Reviewed by,

Paul R. Deschaine  
Town Administrator