

## **MINUTES OF THE OCTOBER 20, 2014 BOARD OF SELECTMEN'S MEETING**

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

At 7:30 pm the Chair opened the general meeting of the Board of Selectmen.

**SECRETARY'S REPORT:** Mr. Federico moved to approve the amended minutes of the regular meeting on October 6, 2014. Mr. Canada seconded the motion, which passed unanimously.

**TREASURER'S REPORT:** Treasurer Deb Bronson reported that there is \$3,965,610.67 in the general checking account.

### **DEPARTMENT REPORTS:**

**BUILDING CODE ENFORCEMENT:** Audrey Cline was present at the meeting to update the Board on the current status of ongoing building inspections, issues, and applications before the Board of Adjustment. Ms. Cline reported that she attended the NHBOA monthly educational meeting; she attended the Primex driver training class; and she passed the ICC "Commercial Building Inspector" exam.

Ms. Cline reported that her department had 6 appointments for review/pre-review of projects, and that there were 91 permits issued this month. Ms. Cline reported that Kevin Roy received a Certificate of Occupancy and that 4 new single family dwellings received a Certificate of Occupancy. Ms. Cline reported that she had 56 inspections this month.

Ms. Cline attended the State Health Officer meeting in Concord on October 16<sup>th</sup> and asked the Board to consider signing the assignment form for her to become a Deputy Health Officer. Mr. Canada moved to nominate Audrey Cline as the Deputy Health Officer. Mr. Copeland seconded the motion, which passed unanimously.

Ms. Cline reported that she and Fire Chief Rob Cook discussed a situation where a resident has used his barn in the past for an advertised public gathering, and we agreed to set an expectation that these types of functions would not be approved in the future unless it meets the code requirements.

Ms. Cline reported that she attended a FEMA Flood Mapping Workshop and the base flood elevation has changed from the 1989 maps to the 2014 maps, and the effects could have an effect on some property owners in Stratham.

Ms. Cline reported that she will be sending a letter to several businesses that have internally lighted signs reminding them of the zoning language that prohibits internally lighted signs, and alerting them to an impending formal enforcement action for any non-compliant signs.

**NEW BUSINESS:** Mr. Canada welcomed the community who were at the meeting to discuss tree cutting and forest management at Stratham Hill Park and adjoining properties. Highway Agent Colin Lavery reported that his Department assessed the viewshed on top of Stratham Hill Park between Exeter and Portsmouth and Great Bay. Mr. Lavery stated that in the past there has been a viewshed to Great Bay and we have been looking at some possible maintenance to get those viewsheds back. Mr. Lavery explained that a few months ago he met with Chief Scippa, the Rockingham County Sheriff's office, and the State Police to talk about communication interference due to overgrowth of trees at the top of the Park. From the tower in the direction of Rye, there are a lot of pine, oak and cherry trees that have grown up over the years and when the leaves are in full bloom it weakens the transmission signal for the emergency dispatching services. We talked about selectively removing and pruning small deciduous trees fewer than 10 inches in diameter about 150 yards from the New Hampshire State Police communications shack in the direction of Portsmouth Avenue. There is also some minimal pruning that needs to be done on a three-span utility pole in the direction of Portsmouth Avenue. The second phase of that is to remove a total of seven 70 foot pine trees along with pruning an oak tree and a cherry tree. We are committed to doing the absolute minimal amount of cutting needed so that we do not impact the tree species and we will monitor the frequency signal as we do the clearing. This is scheduled to begin in the middle of November 2014. Mr. Lavery stated that they would prune between 200 and 250 feet from the edge of the lawn into the wood line.

Mr. Lavery reported that Varsity Wireless has been granted permission to put a cell tower in front of Stratham Hill Stone and they have given the Town \$3,000 for a forest management plan as mitigation. Mr. Canada asked Mr. Lavery if he sees a need for a forest management plan by a Forester or if he feels confident and qualified to cut back sight lines at the top of the hill without one. Mr. Lavery stated that he feels more than confident to identify certain species and prune and remove selectively. Mr. Lavery stated that this portion being a maintenance issue that we can go forward and do this project without completing the forest management plan at this time. However, he does not think it is a bad idea to include this portion of the Park into a forest management plan.

Allison Knab, Chairman of the Conservation Commission stated that the Conservation Commission's concern is that the trimming and pruning be included in the forest management plan. The Commission does not see why this has to be done right away and we do not see why it would not be included in the Plan. The scope of this project seems to be expanding from when we were first told of it and that makes us very nervous. Once this door has been opened without a Forester being involved there is no limit as to what can happen on the Hill.

Mr. Canada asked Mr. Lavery to speak to the timing of the trimming/pruning project. Mr. Lavery stated that there is not a driving factor but the Highway Department does have a time opening and will be working on the public safety pruning as previously discussed. The Highway Department does have availability starting in mid-November, weather permitting, to tackle the project.

Dan Crow, President of Stratham Hill Park Association stated that the Park Association supports the viewshed project at this time while the crews are up there working on the public safety pruning – it makes good sense to the Park Association. Mr. Crow stated that it would be prudent

to allow Mr. Lavery to move forward in the selective cutting and go ahead and build the forest management plan to encompass the Park but not to restrict this project – this is not a forest we are talking about, but the top of an observation area.

Resident John Sapienza requested to have Mr. Lavery state his qualifications for doing this job. Mr. Lavery stated that he spent 2 years at the University of New Hampshire studying landscaping/construction/maintenance which focused on tree health, proper pruning, and maintenance practices. While Mr. Lavery was in school in Rhode Island for civil engineering he worked as a maintenance manager for golf course construction and high-end residential landscaping, and daily focused on tree health, pruning, and planting. Mr. Lavery has owned and operated a landscaping company since 2003.

Town Planner Lincoln Daley stated that the intent of the \$3,000 from Varsity Wireless was for the viewshed at the top of Stratham Hill Park. Mr. Daley asked the Board and Mr. Lavery to explain how the current viewshed plan was developed, what were the perimeters and how the extent of the historic view shed was determined. Mr. Lavery stated that he met with members of the Park Association after it was discussed with the Board of Selectmen. They asked that we come up with a plan, after discussing with the Park Association what they wanted to achieve, with the least impact in order to get the viewsheds back. Mr. Sapienza stated that he moved to Stratham in 1986 and in 1987 he was able to stand at the base of the tower and look around and see Exeter, Portsmouth, and the Great Bay – it was a remarkable view. Mr. Federico stated that he moved to Stratham in 1980 and the view was not obstructed at all.

Mr. Daley asked the Board to consider coming up with a cohesive collaborative plan and then do the work once the plan has been established. Mr. Hickey stated that he would like to have a forest management plan in place before cutting.

Pat Elwell from the Conservation Commission stated that we definitely need a Forester to be a part of the forest management plan. Ms. Elwell stated that she would like to see the Park Association, the Conservation Commission, and the Recreation Department work together (and the Planning Board if they are interested) to be a part the forest management plan.

Dave Short with the Park Association stated that we need to make it a priority to restore the views when we talk with the Forester.

Resident Nathan Stine stated that he agrees with Mr. Short and asks if it would be possible to do a compromise wherein Mr. Lavery would not touch the major trees that would be incorporated in the Conservation Forest Plan but continue with maintenance work. This would allow that his time can be utilized while he is doing the public safety pruning while waiting on the larger project once we have the Forester involved. Allison Knab stated that she believes we need to wait until we have a forestry management plan in place. Mr. Short asked Ms. Knab what the Conservation Commission's position is on the views. Ms. Knab stated that the Commission has barely discussed the issue and so they do not have a position at this time but they would like an expert opinion and to be involved in a group decision with the Park Association.

Donna Jensen with the Conservation Commission stated that this discussion underscores the need for a forestry management plan because we are talking about cutting trees to enhance the views but at the same time we are talking about cutting the understory – why would we need to cut the understory since the sumac is a valuable habitat for birds.

Bob Keating on the Conservation Commission stated that it would be prudent to have a forestry management plan. Resident Pat Kelly asked how many square feet, or acreage would be estimated for the clearing on the top of the hill. Mr. Lavery stated that it is less than 2 acres. Mr. Kelly asked how many acres is the Park. Mr. Federico stated that Stratham Hill Park has 84 acres. Mr. Kelly stated that we need to create the views at the top of the Park.

Pat Elwell stated that she would like to see views on the top of the Park but she reiterated that we need a Forester to determine how, and when, and where, and which ones, and how much.

Mr. Canada read comments from some of the residents who were unable to attend the meeting. Mr. Federico stated that he agrees that we need to restore the viewshed, that we need to have a forest management plan, and that we can go ahead with selective underbrush cutting now while we develop the management plan. Mr. Copeland stated that we should break it out in phases, to begin with the public safety communication trimming and then go to a phase 2 which would be the restoration of the viewshed after a committee of members from the Park & Recreation Committee, Park Association, Conservation Commission, and some citizens to help create a forest management study. Mr. Canada stated that he has complete confidence in Mr. Lavery's ability to select what is good and take out the stuff that is non-controversial, and would like to take advantage of the time his Department has available, however, after hearing what the community is saying he would support waiting until we get a management plan in place. Mr. Federico moved to allow Mr. Lavery to do selective clearing of the underbrush. There was no second, so the motion failed.

## **DEPARTMENT REPORTS CONTINUED:**

PLANNING: Town Planner Lincoln Daley was present at the meeting and updated the Board on current and future Planning Board applications and projects.

Mr. Daley reported there will be a public hearing on November 5, 2014 for the following properties: Rollins Hill Development, LLC, for the property located at 20 Rollins Farm Drive, Tax Map 3 Lot 24, Tax Map 3 Lot 7, and Town of North Hampton, NH Tax Map 15 Lot 24. They submitted a Subdivision Application to construct a 48 lot, over 55 retirement planned community development. The second one is Forma Realty II, LLC, 18 Congress Street, Portsmouth, N H for the properties located at 157 & 159 Portsmouth Avenue, Stratham, NH Tax Map 17, Lots 41 & 42 for a site plan review application to upgrade existing parking lot and related landscaping and drainage.

A public hearing will continue on November 19, 2014 for Sarannie, LLC, and ST Holding Company, LLC, 37 Portsmouth Avenue, Stratham, NH for the property located at 37 & 39 Portsmouth Avenue, Stratham, NH Tax Map 9, Lots 2 & 3 for a site plan review application and Conditional Use Permit Application pursuant to Section 3.8 of the Stratham Zoning Ordinance to

construct a 7,125 square foot auto dealership building expansion, parking lot and roadway improvements, and related lighting, landscaping, and drainage enhancements.

Mr. Daley reported the Planning Board is reviewing proposed Town Ordinance amendments for storm water management, septic regulation changes, and definitions, such as the Farmer's Market.

Mr. Daley reported that the Town Center Revitalization Committee is working on the Transportation Enhancement Grant, which is adding sidewalks, decorative ornamental lights, and a bike lane for portions of the town center area. Mr. Daley stated that he and Mr. Deschaine have recently spoken with the consultant and we are finalizing the cost estimates associated with that project. The Town Center Revitalization Committee is moving forward with the second phase of the banner program and will incorporate seasonal banners on the existing posts that were installed by the Highway Department last year.

Mr. Daley reported that with regards to the Master Plan Committee he met with Nate Merrill to create a workshop involving farmers and other stakeholders in the industry. .

Mr. Daley reported that Mr. Deschaine has some information on Alex Way., The builder is looking to have a release of his \$5,000 performance bond and for the road to be accepted by the Town. Mr. Canada moved to accept the Alex Way Road with the conditions Mr. Laverty has for the road. Mr. Copeland seconded the motion, which passed unanimously.

At 8:44 pm Mr. Canada moved to go into non-public session to discuss a personnel matter. Mr. Copeland seconded the motion, which passed unanimously.

At 8:51 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.

**POLICE DEPARTMENT:** Chief Scippa reported that after reviewing the State law on town records retention requirements with the UNH Graduation Student who has been working on this project for the Town, the Police Department was able to destroy several boxes of older records that are no longer needed to be on file. Chief Scippa stated that the student did a remarkable job organizing the project.

Chief Scippa reported that the Police Department recently participated in the September 27, 2014 Drug Take Back program and 8 pounds of drugs were collected during that event. The drugs were then transported through DEA protocol to their destruction site.

Chief Scippa reported that the Great Bay 5K is scheduled on October 25, 2014 and they were issued a Department of Transportation Road Race Permit, and the Police Department will be working detail for the event.

Chief Scippa requested permission to purchase two lockers for the evidence room stating that they are needed to achieve "best practices" for the maintenance of property in evidence with police departments. One of those best practices that we can employ is to make sure that certain

items are double secured – in other words, locked inside of a locked area. The items that should be double locked are drugs, money, and firearms. One of the lockers would be used for the storage of smaller items and a larger locker would be used for weapons. The total price for both lockers is \$1,502 and there is currently a balance of \$2,240 in the new equipment budget line that would cover this expenditure. There was discussion on how badly these lockers were needed. Mr. Scippa acknowledged that drugs were currently double locked but not in an efficient manner. He strongly urged the Board to approve the weapons locker. Mr. Copeland moved to approve the purchase of a long storage locker for the evidence room for the securing of firearms for the total cost of \$877. Mr. Federico seconded the motion, which passed unanimously.

Chief Scippa stated that the 2003 Crown Victoria has 78,000 miles on it and runs very well – they are using it for a backline vehicle for the Police Department, however, he reported there is some rot in the right fender and the right corner panel as well as some of the molding around the window. He received a quote to fix it for \$1,303. Mr. Copeland moved to retain the vehicle and perform the cosmetic maintenance that is needed to keep the vehicle going. Mr. Canada seconded the motion, which passed unanimously.

**NEW BUSINESS CONTINUED:** Highway Agent Colin Lavery requested of the Board to purchase a new 350,000 BTU Reznor RA 350 waste oil furnace. Mr. Lavery stated that he has gotten positive feedback from local dealers who use the Reznor brand. Mr. Lavery requested to spend out of his building maintenance budget \$8,780 with Arrow Equipment in Littleton, NH, which would leave him a delta of \$5,326.20 in the budget line item. Mr. Federico moved to approve the request for expenditure of \$8,780 to purchase a Reznor RA 350. 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.

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

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

Debra Marston requested the use of the Municipal Center Meeting Room A on November 29, 2014 for a family Christmas party. The Board approved the request.

Paula Field requested the use of the Stratham Hill Park 4H Pavilion on June 20, 2015 for a bridal shower. The Board approved the request.

David Mollica requested the use of the Municipal Center Meeting Room B on November 11, 2014 for a Cub Scouts meeting and requested the fee is waived. Mr. Copeland moved to approve the request and waive the fee. Mr. Federico seconded the motion, which passed unanimously.

Shannon Warren with Easters Seals requested the use of Municipal Center Meeting Room A on November 12, November 19, and November 26, 2014 for a non-profit Easter Seals art class and requested the fee is waived. Mr. Federico move to approve the request and waive the fee. Mr. Copeland seconded the motion, which passed unanimously.

Stratham Fair Committee requested the use of the Stratham Hill Park 4H Pavilion, Scamman Pavilion, and the Stage on July 11 – 31, 2015 for the Stratham Fair and requested that the fee is waived. Mr. Copeland moved to approve the request and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

Lorrie Beaulieu requested the use of the Municipal Center Meeting Room A on October 28, 2014 for a Girl Scout event and requested the fee is waived. Mr. Copeland moved to approve the request and to waive the fee. Mr. Federico seconded the motion, which passed unanimously.

**ADMINISTRATION:** Mr. Deschaine presented the Board with a Stratham Volunteer Fire Department Server Replacement Proposal that was prepared by the Town IT consultant Paul Wolf that had three versions for the Board to select. Mr. Canada moved to accept the proposal and use Version 1 of the proposal for a total cost of \$20,174.35. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine reported that he received the renewal notices for Workers' Compensation, Property Liability, and Unemployment Insurance. The property liability went down \$513 from last years' costs based on a reduction in our loss assessment ratio. In the Workers' Compensation plan there was a small adjustment ratio up, which resulted in a \$2,570 increase in our premium over last year. The unemployment rate is down \$1,975 from last year. Primex is offering a contribution assurance program for those who will commit to an additional 2 years that will cap annual increases at 10% for Workers' Compensation and 9% for Property Liability. Mr. Federico moved to go with the 3-year guarantee. Mr. Canada seconded the motion, which passed unanimously.

Mr. Deschaine reported that he received a letter from Mike Donahue on behalf of Makris Development regarding the no parking signs by the new ball field on Market Street, asking that the Town remove those signs. The letter also requested that the Town plant trees there instead. The Board requested that Mr. Deschaine get clarification from Mr. Lavery about the no parking signs and the Board stated they will not plant trees along the road.

Mr. Deschaine reported that Wally Stewart has made application to serve on the Heritage Commission. Mr. Canada moved to appoint Wally Stewart to be on the Heritage Commission. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Deschaine reported that the Parks and Recreation Director accidentally backed into a tree while setting up for a race at Stratham Hill Park. He damaged his personal vehicle and Mr. Deschaine asked the Board if the Town will pay his \$500 insurance deductible. Mr. Canada stated that the mileage reimbursement helps mitigate those costs and the fact that Mr. Hickey has high insurance deductible off-sets his insurance premiums. Mr. Copeland stated that he has no problem covering the deductible since it was for an annual Park event that he was covering – not just day-to-day operations. Mr. Federico stated that we would be setting a policy and he is not willing to do that.

Mr. Deschaine presented the Board with a raffle permit application from the Stratham Memorial School fundraiser. Mr. Canada moved to approve the permit and allow for the raffle. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Canada stated that we received an application to rent the Gifford House starting December 1, 2014. The references have been checked and they would be good tenants. Mr. Canada moved to approve Ricky King and Holly King as tenants for the Gifford House and sign a one-year lease with them beginning December 1, 2014. Mr. Copeland seconded the motion, which passed unanimously.

Mr. Canada stated that Jim Cushman is interested in renting the garage at the Bartlett/Cushman property for \$100 per month. He will put in four tractors, take the batteries out, lock the doors and store them until the spring. Mr. Canada moved to accept the offer. Mr. Copeland seconded the motion, which passed unanimously.

At 10:13 pm Mr. Canada moved to go into non-public session to discuss personnel matter. Mr. Copeland seconded the motion, which passed unanimously.

At 10:56 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.

At 10:57 pm Mr. Federico moved to adjourn. Mr. Copeland seconded the motion, which passed unanimously.

Respectfully submitted,

Debbie Hensley  
Executive Assistant