

## **MINUTES OF THE JANUARY 26, 2015 BOARD OF SELECTMEN MEETING**

**MEMBER'S PRESENT:** Chairman David Canada, Bruno Federico and Town Administrator Paul Deschaine.

Mr. Canada opened the meeting at 6:08 P.M. whereupon Mr. Federico moved to go into a non-public session to discuss personnel issues and merit increases for the 2015 budget, seconded by Mr. Canada, which passed unanimously.

Mr. Canada moved to come out of non-public session at 7:34 P.M., seconded by Mr. Federico, which passed unanimously.

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

**SECRETARY'S REPORT:** The Minutes of 1/5/15 meeting were approved as amended by Mr. Canada.

**TREASURER'S REPORT:** Mr. Deschaine reported that there is \$8,217,863.79 in the general checking account.

### **DEPARTMENT REPORTS:**

#### **PLANNING**

Lincoln Daley, Town Planner, stated he was there to discuss the Transportation Enhancement Grant project in the Town Center District. He continued that there were representatives from CMA Engineers, the town's consultant, to get approval for a final design to NHDOT for endorsement. Mr. Daley indicated he hoped that with input from the Board and public, they could act to move forward on submitting the final design and to start construction later this year. Dan Hudson from CMA Engineers stated they had been working with the Town Center Committee on the project. He explained the project would include adding curbing to make the lanes 11 feet wide with 5 foot shoulders, a six foot grass strip and six foot concrete sidewalks. Mr. Hudson noted they were also hoping to overlay the roads with pavement and add flush islands, but that would be an add-on and would depend on the dollar amount of the bids they received. Mr. Canada asked how it would affect the change of lanes if an overlay was not applied. Mr. Hudson stated they could try to obliterate the existing markings and re-stripe, but that did not always work very well and it would be much more effective to do the overlay. Mr. Canada asked if DOT would allow them to obliterate and re-paint. Mr. Hudson responded that they could have that discussion but hoped that they would have sufficient funding to do the whole project. Mr. Hudson indicated that by adding this curbing, they would need to add about 10 catch basins, noting that this was had been an issue with previous proposed plans. He continued that they were trying to set a template design for the area. Jeff Highland from Ironworks Design Group stated he was going to go quickly through the process that they had worked with the Town Center Committee. He continued that they had talked about their goals, talked about Stratham as a place and how they envisioned it looking in the future. Mr. Highland noted that based on those discussions, they put some goals together to make the design show that

Stratham is a unique place, to ensure safety, to ensure that they could make further enhancements and discussed sustainable materials and long term maintenance. He explained the design and how they could tie some of the existing structures in town into it. He stated that lighting was a big topic they had discussed and the final solution was a Spring City light pole that was 15 feet tall with a shepherd's hook holding a pendent luminaire. He discussed the banner program and said that the shepherd's hook would be orientated towards the sidewalk with any banners orientated towards the street. Mr. Daley asked if there was an opportunity to screw an arm on the inside of the pole to hang things such as flowers. Mr. Hudson responded that was something that they could look into. Mr. Daley asked how much a decorative element would add to the cost. Mr. Highland stated that he would look into pricing for different decorative elements and they could be added during the bidding process. Mr. Canada moved to allow Mr. Highland to include the extra banner (receiver) arm in the specifications in the pole, seconded by Mr. Federico, which passed unanimously. Mr. Canada asked that if they wanted to get power to the other side of the sidewalk, would this be the time to install a piece of PVC conduit and if that was something that they could put in as a spec. Mr. Highland responded that they could and that each one of the light poles had an electrical pole box which could create an electrical supply over to the other side of the sidewalk, and he would come up with a price for a ground level outlet as well as an electrical junction box. Mr. Highland stated that he would come up with a reasonable and adequate solution. Mr. Deschaine stated that he had noticed that they had a utility cabinet. Mr. Highland noted that the supply for the utility cabinet would just drop down on an existing utility pole. He continued that because of the timeframe, he had put that in his design as a placeholder and asked Mr. Hudson if he had any ideas on what DOT would prefer to see. Mr. Hudson stated that it was much cleaner to spec out a utility cabinet in connection with a pole and they would be concerned about going into a building which would start opening up a lot of unknowns. Mr. Highland stated that from a bidding standpoint, and because of the time frame, it would be best to spec out a utility cabinet; it could be changed in the future if desired. Everyone agreed with this idea. He continued they had presented a simple lighting plan designed so that the lighting is not roadway oriented and was designed to create a mood and provide safety for pedestrians. He continued that the lighting would be minimal but it would be an attractive esthetic enhancement. Mr. Highland said they talked a lot about benches, trash and recycling receptacles and discussed where those would be placed and how they are reflective of what the Town Center image is hoped to be. Mr. Highland stated there were going to be two varieties of street trees and they were trying to keep the plan simple and cohesive. He continued that there was going to be a Phase 2 at some point and they needed to make sure that the decisions that they made now would not limit them in Phase 2. Mr. Highland stated they had two different paving materials being used with the accent granite bands adjacent to the light poles: granite cobblestone and one crosswalk that was being treated with a concrete paver.

### ASSESSING

Andrea Lewy, Town Assessor, indicated that she wanted to speak about a property that NH Fish & Game owns. She continued that they brought the property for \$85,000 in May of 2013, and gave a brief description and background of the property located off Linda Lane (Map 24, Lot 12). She stated that the property had been owned by Scott Harmon who owed taxes for 2012 and the beginning of 2013. She stated that because a taxable entity had owned the parcel on April 1 of 2013, Mr. Harmon was taxed. She continued that the State purchased the parcel in May which

would make them responsible for all of the outstanding taxes. Ms. Lewy indicated the State was then tax exempted in 2014. She stated that prior to the purchase, the State did not contact the town to see if any taxes were owed. According to the purchase and sale agreement, Mr. Harmon was responsible to make sure that the title was clean and free of all liens, which did not happen. A letter was then sent out to the State notifying them that they owe taxes. Joyce Charbonneau, Tax Collector, noted that a Notice of Lien went out to Scott Harmon on April 4, 2013 for his owed 2012 taxes, and it came back unclaimed. She stated that a lien was put on the property for the 2013 taxes and the Notice of Lien was sent to the State and it was signed confirming they had received the Notice. Ms. Charbonneau noted that she had received a letter from the State saying that their real estate agent had executed the Purchase & Sale Agreement and they were advised by the Attorney General that they were not allowed to pay property taxes. She noted that by law the State was responsible for the taxes. She noted that another email from F&G stated that they would contact the town prior to closing on further acquisitions and they were preparing a letter to Mr. Harmon requiring him to clear the title. She stated that she had responded to the State that they could go after whomever they wanted to but the Town was only allowed to go after the current property owner. She asked the Board if they wanted to go forward with an abatement or to go forward with the Notices to deed the property if the State did not pay. Mr. Federico stated he thought they should to go forward with the deed process. Mr. Canada moved to authorize Joyce Charbonneau to move forward with the deeding process, seconded by Mr. Federico, which passed unanimously.

Ms. Lewy stated her next item was abatements. She said the first property to be discussed belonged to Michael Daley, 74 Willowbrook Avenue, Map 23, Lot 13. She continued that the property was a vacant, wooded lot and the taxes needed to be adjusted by 5% because the lot had never been cleared. Ms. Lewy stated they needed to abate back to Mr. Daley \$129.42 and asked that the Board approve it. Ms. Lewy noted that the next abatement was for property owned by Richard & Susan Young at 9 Benjamin Road, Map 21, Lot 32. She continued that there was no longer an in-ground pool and they had also removed a deck. Ms. Lewy indicated that there were no demolition permits but the Youngs had informed the Town of the changes. She stated that the abatement would be \$45.79. Mr. Canada moved to approve the abatements for Mr. Daley and Mr. & Mrs. Young, seconded by Mr. Federico, which passed unanimously.

Ms. Lewy noted the next item would be for a solar exemption for John & Linda Golter at 127 Winnicutt Road, Map 24, Lot 126. She continued they put in a solar panel for their hot water heater and they wanted to make sure that it was exempt from assessment. She asked that the Board approve the exemption. Mr. Canada moved to approve the solar exemption as requested by Mr. & Mrs. Golter, seconded by Mr. Federico, which passed unanimously.

Ms. Lewy stated the next item was for Veteran's Credits. The first was for Philip Ahlin at 19 Bittersweet Lane, Map 9, 134 and met the Vietnam Conflict criteria. The second was for George Kerrigan, 23 Pheasant Run Lane, Map 23, Lot 46, Sub 23 who also met the Vietnam Conflict criteria. The third was for Solon Scott Sudduth, 27 Stratham Green, Map 17, Lot 31, Sub 27 and met the Vietnam Conflict criteria. She continued that the last request was by Lucien Dansreau, 20 Greenvale Drive, Map 3, Lot 30, Sub 21 but that his service dates did not qualify him for the credit. Mr. Canada moved to approve the Veterans Credit for Philip Ahlin, George Kerrigan,

Solon Scott Sudduth and to deny the Veterans Credit for Lucien Dansreau, seconded by Mr. Federico, which passed unanimously.

Ms. Lewy indicated that she had been going back and forth with Unitil regarding a BTLA case. She continued she had reviewed the appraisal provided by Unitil and had compared it to the State's valuation. Unitil had concluded that it would be withdrawing its appeal to the BTLA because they had realized that she was using a different methodology than they had used and so their computations had been in error.

Ms. Lewy stated they had received a final blessing from the State DRA District Supervisor for the 2014 statistical update and they were in compliance with everything that was required for the valuation.

#### NEW BUSINESS

Pat Elwell from the Conservation Commission stated she was there to talk about a Warrant Article for funding a conservation easement on a property owned by Dave Short. She continued that the Sales Agreement with the Shorts indicated each party would initially pay half of the appraisal, but, if the sale came to fruition, the Conservation Commission would pay for the entire appraisal. Ms. Elwell noted that the Shorts were doing a bargain sale for the Town and they were offering the property for \$600,000 for the conservation easement consisting of 34.2 acres exclusive of 3.8 acres reserved for the house. She continued that they are only allowed to purchase property or easements if the sale price is at or under the appraised value and they had made a provision for that in this Agreement. Ms. Elwell stated there were a lot of benefits for the Town getting this easement and the Conservation Commission was very excited about it. Ms. Elwell stated relative to funding, that the Land Conservation Fund currently has about \$480,000 in it and the rough budget that was given to them was \$624,000, including closing costs, appraisals, etc. She continued they did not want to empty the account because there are continuing obligations associated with monitoring easements already owned as well as other things that could come up. Accordingly, they are asking for \$175,000 towards the purchase of the easement which would leave them with \$31,000 in their account. Ms. Elwell asked that the Selectman put forward a warrant article for the easement for \$175,000. She continued they would continue looking to raise more funds. Mr. Canada stated he thought it was a very strategic purchase and wanted to thank Mr. Short for giving the Town such a good deal. Ms. Elwell continued neither party was locked into the Agreement at this point besides each paying half of the appraisal. Mr. Canada moved that a Warrant Article for a Conservation Easement in the amount of \$175,000 to be raised by taxes be put on the Ballot for the Town Meeting, seconded by Mr. Federico, which passed unanimously. They continued they would be holding a public hearing on this matter on February 9, 2015.

**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:

Tracey Hall requested use of the Morgera Room on February 5, 2015 for a Girl Scout's meeting and requested the fee be waived. Mr. Canada moved to approve the request. Mr. Canada seconded the motion, which passed unanimously.

Edie Barker requested use of Meeting Room A on March 23, 2015 for a Seacoast Growers Association Meeting. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Dileep Kolli requested use of Meeting Room A on February 8, 15 & 22 and March 1, 22 & 29 for a learning activity for children. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Les Carbonneau requested use the Front Pavilion on August 9, 2015 for a family reunion. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Donna Dupuis requested use of the Front Pavilion on September 5, 2015 for a surprise birthday party. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Easter Seals requested use of Meeting Room A on February 4, 11, 18 & 25 for group activities and requested the fee be waived. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Kate Fitzpatrick requested use of Meeting Room A on March 21, 2015 for a baby shower. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Amy Sargent requested the use of Meeting Room A on March 8, 2015 for a baby shower. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

Michael Grahame requested use of the Morgera Room on October 17, 2015 for a model train show and requested the fee be waived. Mr. Canada moved to approve the request. Mr. Federico seconded the motion, which passed unanimously.

#### **ADMINISTRATION:**

Mr. Deschaine stated that he had developed a draft of the public hearing notice concerning the Warrant. He stated they were items that he had accumulated in a tickler file. One that was still pending was to request bonding authority for a water system construction and noted there was not a specific amount listed for this. He continued that due to legal notice deadlines, it would have to be advertised as it was with details filled in later. Mr. Deschaine stated the second item on the warrant draft was the operating budget, third was the capital improvement program, fourth

item was the conversation easement issue and the fifth item was the warrant article requested by the 300<sup>th</sup> Committee in the amount of \$10,000. He asked if the Board was going to sponsor that request. Mr. Canada moved to sponsor the warrant article requested by the 300<sup>th</sup> Committee in the amount of \$10,000, seconded by Mr. Federico, which passed unanimously. He continued regarding the special warrant article for the Expendable Maintenance Trust Fund and stated that they had been putting away \$25,000 in the past and asked if it was the Board's desire to do the same this year. Mr. Canada stated that he supported the \$25,000 and Mr. Federico agreed. Regarding the Fire Department request for expenditures from the Stratham Fire Department EMS Fund, Mr. Deschaine indicated that for firefighting training and advanced life support services, they had reduced their training requests to \$10,000 and asked for \$35,000 for new stretchers, as well as \$10,000 to pay for ALS services, per agreement with Exeter Hospital. Mr. Deschaine noted the next item was the Accrued Benefits Liability Expendable Trust, which had \$10,000 approved the previous year. The Board agreed to request the same this year. Mr. Deschaine stated the petition warrant article period closes on February 3<sup>rd</sup>.

Mr. Canada indicated he had received a request from Colleen Lake relative to earmarking the trees promised to the Town by various developers for the Town Center project and asked Mr. Federico if he had a problem with doing that. Mr. Federico responded that he did not and Mr. Canada stated they would get a detailed report from Lincoln Daley on the number of trees and would take a formal vote on it in the future.

At 9:31 pm Mr. Canada moved to adjourn. Mr. Federico seconded the motion, which passed unanimously.

Respectfully submitted,

Ashley Rodier  
Recording Secretary