

**GREENLAND BOARD OF SELECTMEN
MEETING MINUTES**

Monday, June 7, 2010

Members Present: Chair Mo Sodini, Paul Sanderson, Charles Cummings, Vaughan Morgan and John Penacho

Staff: Amy Leonard, Secretary

Agenda

Chair Sodini opened the Board of Selectmen public meeting at 7:00 P.M. He announced that a quorum was present and the meeting was being recorded.

Appointments

1. Building Inspector Robert Cushman, re: Irrevocable letters of credit for future construction on Skyview & Ridgecrest Drive

Mr. Cushman presented suggested irrevocable letter of credit amounts for road construction for Phases IIA and IIB involving Skyview Drive and Ridgecrest Drive within the Falls Way subdivision. He reviewed the cost of construction estimates for Phases IIA and IIB and noted that Jim Kerivan, P.E. of Altus Engineering, has witnessed the construction and approved the suggested credit amounts of \$48,197.88 for Phase IIA and \$20,402.25 for Phase IIB. With that said, the following motion was made:

Motion 1: Paul Sanderson moved to approve the irrevocable letters of credit for Phase IIA to \$48,197.88 and Phase IIB to \$20,402.25, as requested by the Building Inspector and recommended by Town Engineer. John Penacho seconded the motion. All were in favor. MOTION CARRIED.

2. Paul Connolly, re: revised driveway access-Stearn's Way

Paul Connolly, Civilworks Engineering, representing Michael and David Gill, updated the Board on the activity regarding the revised Stearn's Way driveway access since their last meeting. He stated he prepared a sketch that removed the Gordon driveway from Post Road and showed it coming off Stearn's Way (attachment 1). He indicated that he reviewed the sketch with NH DOT and they seemed receptive to the plan. He explained how the "hatched area" (in red on the plan) would be designed, if the Gordon's agree to it. There will be no vegetation in the "hatched area" and will be deeded to the Town, at the recommendation of DOT. Mr. Connolly noted he also painted the location of Gordon's new driveway on the ground for the parties to review. He indicated he is still unsure on what to do with the garage encroachment. Mr. Sanderson explained the layout proceeding and referred to a similar case law, Neville Highland v. Town of North Conway. Dick Gordon, 546 Post Road, stated he looked at the painted layout and felt it was a good piece of engineering, but felt it was still close to the garage, which is a safety issue. He stated he does not have a problem with the road being there, but suggested having Stearn's Way come from the other side of the Gordon's house. Mr.

Connolly noted that DOT discussed that option as well. It was noted that if the road was relocated to that area, it would not affect the Birse driveway. Mr. Gordon stated he has hired his own surveyor to review the entire situation and hopefully come up with a resolution that suits everyone involved. Mike Gordon, 522 Post Road, stated this matter is a big mess and everyone would like it to go away. He asked if the Town could discontinue the road. Mr. Sanderson reminded him they had already tried that at Town Meeting a couple of years ago and the Town voted to not discontinue it. Mr. Gordon stated it might have turned out differently if the Selectmen had been in favor of it at that time. Stephen Gerrato gave a brief history of how Stearn's Way came to be a class VI road and reminded the Board of how close the Town Meeting vote was to discontinue it. He stated he could petition the Town every year to have the road discontinued. Mr. Gerrato recommended the Gills use their access off Sleepy Hollow.

After the discussion, Mr. Sanderson stated he hopes the parties can reach a resolution and encouraged them to continue the effort that has now begun. Mr. Connolly noted he would come back before the Board in two weeks after further discussions with Mr. Gordon and possibly with a conceptual approval from DOT.

Administrative & Other Items

1. Disposition of ROW - Nantucket Place

Mr. Sodini stated the Board has held the required two public hearings regarding the disposition of the right of way off Nantucket Place and asked if there were any further comments from the Board. Mr. Morgan asked if the Board could accept the Conservation Commission comments, which recommended keeping the right of way, but reducing it from 50 feet to 10 feet, in order to maintain access to the conservation land. The Board felt the conservation land is accessible from Coastal Way, so this disposition seems logical and appropriate. The Board noted the vote regarding this matter would be contingent on the land swap with Troy Thibodeau. After the discussion, the following motion was made:

Motion 1: Paul Sanderson moved to approve the intended release of the right of way from Nantucket Place to the Town's conservation property, as requested and as heard at two public hearings, pursuant to RSA 41:14a, contingent upon finalization of the land swap with Troy Thibodeau. John Penacho seconded the motion. There was a vote of 4 for and 1 abstained (C. Cummings). MOTION CARRIED.

2. Disposition of two Town owned lots on Holly Lane

Mr. Sodini stated the Board has held the required two public hearings regarding the disposition of two Town owned lots on Holly Lane and asked if there were any further comments from the Board. Mr. Cummings thanked everyone present, as well as those who took the time to comment on this matter via email or in person. He stated the idea to donate these two lots to Habitat for Humanity emerged during the Lowes opening ceremony and also from the Planning Board, during their discussion on workforce housing. At that time, he thought it would be a favorable concept. He noted the Board has received a nice balance of comments in favor of, as well as, opposed to the idea. Understanding and appreciating the opposer's opinion to sell the properties outright, Mr.

Cummings stated he would prefer to see a newspaper headline that reads "Greenland welcomes Habitat for Humanity Homes". He feels this project would be in the best interest of the Town and is in favor of the effort. Mr. Penacho stated he thinks Habitat for Humanity is a great program, but does not want to give the land away because of the value to the Town, especially during this point in time. Mr. Morgan agreed with Mr. Penacho. He stated the Town is experiencing some revenue downfalls from the State and feels now is not the time to be giving anything away. Mr. Sanderson stated he is concerned with the Board's authority to give the properties away, or even sell it, without a Town vote. He suggested taking some more time to research the various options further and have the Town vote in March. Mr. Sodini felt the project was a good idea, but agreed with Mr. Sanderson to work together with the land use boards to decide what the best use of the land is, and what is in the best interest of the Town and bring it to Town Meeting for a vote. After listening to the suggestion of Mr. Sanderson, Mr. Cummings concurred that the Board needs to discuss the matter further with the other land use boards and let the Town vote.

After the discussion and based on the comments, the following motion was made:

Motion 2: Paul Sanderson moved that the Board not approve the charitable donation of two Town owned lots on Holly Lane to Habitat for Humanity at this time and refer these lots and other Town owned property to the Conservation Commission and Planning Board for further review and study in regard to workforce housing in the Town of Greenland. John Penacho seconded the motion. All were in favor.
MOTION CARRIED.

3. Parking for Boy Scout trailer

The Board continued to discuss a request to park a small trailer on Town property from Boy Scout Troop 158. Rick Mauer was present and stated the trailer is a typical white box trailer that is 8' x 4' and 12' long. The Boy Scouts wish to park it on Town property for year round use and will contact the Town Administrator when they will need to use it. The Board asked if the trailer is insured, as the Town would not be liable for any vandalism, etc. Mr. Mauer stated it is insured. After the discussion, the following motion was made:

Motion 3: Vaughan Morgan moved to allow the Boy Scouts of Troop 158 to keep the discussed trailer on Town property. Paul Sanderson seconded the motion. All were in favor. MOTION CARRIED.

4. Accounts payable manifest #12

The Board reviewed accounts payable manifest #12. After the review, the following motion was made:

Motion 4: John Penacho moved to approve accounts payable manifest #12, dated June 10, 2010, in the amount of \$1,505,178.56 as presented. Paul Sanderson seconded the motion. All were in favor. MOTION CARRIED.

The Board noted that approximately \$1.4 million of this manifest was a transfer to the school.

5. Accounts Payable #5 - Medical Trust

The Board reviewed special accounts payable manifest #5, which is a transfer for medical trust. After the review, the following motion was made:

Motion 5: Vaughan Morgan moved to approve special accounts payable #5 manifest for the transfer for medical trust, dated June 10, 2010, in the amount of \$1,203.17. This information is confidential and will not be released to the public. Charles Cummings seconded the motion. All were in favor. MOTION CARRIED.

6. Payroll manifest #12

The Board reviewed payroll manifest #12, dated for June 10, 2010. After the review, the following motion was made:

Motion 6: Vaughan Morgan moved to approve payroll manifest #12, dated June 10, 2010, in the amount of \$42,350.24 as presented. Paul Sanderson seconded the motion. All were in favor. MOTION CARRIED.

MINUTES

The Board reviewed the minutes of May 24th. Mr. Cummings stated he contacted the secretary with a few minor administrative changes and those changes have been made to the minutes. With that said, the following motion was made:

Motion 7: Charles Cummings moved to approve the May 24th minutes as amended. Vaughan Morgan seconded the motion. All were in favor. MOTION CARRIED.

Other Business

1. Braden McNeil approached the Board to discuss his Eagle Scout project, which involved constructing a canopy over the back ramp at the library (attachment 2). The Board stated the idea would be a good project, but referred him to the Library Trustees for approval. They indicated once it is approved and his design is ready, he needs to work with the Building Inspector.
2. State Rep. Pam Tucker briefly updated the Board with State issues.

Having no other business to discuss, the following motion was made:

Motion 8: Paul Sanderson moved to adjourn the meeting at 8:10 P.M. and John Penacho seconded the motion. All were in favor. MOTION CARRIED.

Transcribed and typed by:

Amy Leonard
Selectmen's Secretary

Attachments:

1. Revised plan & docs, re: Stearn's Way
2. Eagle Scout project, submitted by Braden McNeil
3. Agenda, dated 6/7/10

Approved by the Greenland Board of Selectmen on June 21, 2010.