



**BOARD OF SELECTMEN**  
**Town of Greenland • Greenland, NH 03840**  
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**MINUTES OF THE BOARD OF SELECTMEN**

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Monday, April 03, 2017 – 7:00 p.m. – Town Hall Conference Room

*Members Present:* Chester Deorocki, Chip Hussey, Vaughan Morgan, Jim Rolston, Paul Sanderson

*Staff:* Karen Anderson – Town Administrator

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Chair Morgan opened the Board of Selectmen meeting at 6:58 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded. Chair Morgan welcomed new members, Chip Hussey and Chester Deorocki, to the Board.

1. Election Status

Chair Morgan stated that due to the ambiguity surrounding the recent elections on the part of the Secretary of State's office, roll call votes would be taken on any motions made during the meeting. The Town Administrator added that she sent an email to DRA for clarification on signing the MS-232 (Report of Appropriations Actually Voted). DRA recommended signing the report and continuing the daily operations; there were political actions being taken to resolve the issue.

2. Reorganization of the Board

MOTION: P. Sanderson moved to nominate V. Morgan as Chairman for the ensuing year. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to nominate J. Rolston as Vice Chairman of the Board of Selectmen. Second – V. Morgan; Roll Call: all in favor. MOTION CARRIED

Chair Morgan distributed a list of suggested liaison assignments for the Selectmen. C. Hussey stated that as a member of the Planning Board, he would like to be the liaison for that Board; he had left items on the table for future ordinances. Chair Morgan responded that he didn't suggest him as the liaison because his wife was the Secretary to the Boards and it may make some residents uncomfortable. C. Hussey responded that she does the minutes for all the Boards and is not a voting member to any; as a Selectman, he would like to finish what he started on the Planning Board. P. Sanderson added that his concern was as a Selectman, C. Hussey would be directly supervising his spouse. C. Hussey responded it would happen with all the Boards with the exception of Recreation. P. Sanderson suggested he be the alternate Selectman's Rep to the Planning Board; there should be two members on the Planning Board especially as the Town moves forward with water. One person would be the voting member, the other the alternate.

Asked about his position on the Conservation Commission, C. Hussey responded that he can be appointed but can't vote unless a member is absent or there is a tie vote. P. Sanderson noted that the Selectmen also supervise Conservation Commission funds. Membership is low on the Conservation Commission; there needs to be more community involvement in that Board as well as the Recreation

Committee. C. Hussey commented that a Selectman on the Conservation Commission may give it more legitimacy than it's had in the past; P. Sanderson added it would be a more direct line of communication.

Recreation Committee: Chair Morgan felt C. Deorocki would do well on that Committee because he had children in the school system. He also noted that the Recreation Committee was going through some major changes.

MOTION: P. Sanderson moved to nominate C. Deorocki as the liaison to the Recreation Department. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

P. Sanderson stated he had been the liaison to the Budget Committee last year. He would like to have someone else act as the liaison so they know how it's done. Although this past year was a successful time on the Budget Committee, P. Sanderson felt it was important that mid-way through his final term someone else should know the process.

J. Rolston stated that P. Sanderson's legal expertise on the Planning Board would be a wise choice. He is also up-to-date on all the water issues. P. Sanderson added that there is a need for two Selectmen's representatives on the Board, with one voting.

MOTION: P. Sanderson moved to nominate C. Hussey as the liaison to the Budget Committee. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to nominate C. Hussey as the liaison for the Property Maintenance Supervisor. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

Fire and Police Departments: P. Sanderson stated that Chair Morgan should remain as the liaison to the Fire and Police Departments due to hiring new staff and implementing the expected changes. In addition, the Fire Chief is trying to transition.

MOTION: J. Rolston moved to nominate Chair Morgan as the liaison to the Police and Fire Departments. Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

Building Inspector, Town Administrator, and Library: P. Sanderson stated that J. Rolston would be available during the day to assist with those departments, and would be a great liaison for the departments/department heads.

MOTION: P. Sanderson moved to nominate J. Rolston as the liaison to the Building Inspector, Town Administrator and Library. Second – C. Deorocki; Roll Call: all in favor. MOTION CARRIED

MOTION: J. Rolston moved to nominate P. Sanderson as the Selectmen's Representative to the Planning Board and CIP Committee and C. Hussey as the alternate. Second – C. Deorocki; Roll Call: all in favor. MOTION CARRIED

## I. APPOINTMENT

### 1. Tina Miles, Treasurer: Fraud Protection

T. Miles updated the Board on items pertaining to banking for the Town. Provident Bank approached her regarding items free to the Town because of account balances. T. Miles has been working with the Town Administrator, Town Clerk and staff on implementing possible changes. The highest priority would be fraud protection, also known as Check Positive Pay; the process was explained to the Board. With fraud protection, the Town would be reimbursed if accounts were hacked.

T. Miles also discussed the use of a check scanner, which would enable same day deposit of checks. Cash would have to be deposited at the bank. T. Miles is also working with the staff on view access to their specific accounts.

P. Sanderson suggested that C. Deorocki may want to meet with the Treasurer to understand the entire process.

### 2. Library Trustees: Weeks Library Expansion Concept Design

Marcia McLaughlin, Library Trustees Chairperson, addressed the Board and introduced Denise Grimse, Library Director, Trustees Karen Mason and Dale Rockefeller, and Ron Lamarre, Lavallee Brensinger architect of record. M. McLaughlin deferred to R. Lamarre, who made the presentation to the Board.

A concept design, based on feedback from the community, was shown to the Board. An addition would be created at the back of the current Library. The streetscape and view of the Library would not be changed. The addition will be created on the same scale as the existing building so it's not overpowered. The new addition will have an upper level and walk-out basement, and will be connected with glass to the older section. The addition will run along the rear property line behind the existing Library. The Trustees have been working with the School for parking, which would be created and dedicated to the Library. The parking area will be used as overflow parking for the School. A "memo of understanding" will be done, allowing it to be built on their property for use and dedication to the Library. There was strong cooperation between the Library and School to solve the parking problem. They may also discuss with the DOT the possibility of making the spaces in front of the Library parallel parking for the handicapped. They also plan to extend the front lawn of the Library and sidewalk, creating a safer environment. There will be a walkway from the parking lot, behind the Parish House, to the Library.

R. Lamarre explained they have been working with Underwood Engineering to meet a 5' setback in the rear. He added that they would have to remove trees in that area. Although it's a tight fit, residents felt the current location was the best. Structurally and architecturally the existing Library will remain intact. When describing the interior, it was noted that there is a meeting room that will be accessible after the Library is closed. The entire building will be ADA compliant. The front steps will remain as they are but will no longer have to be used; there will be two means of egress from every level. The front door will no longer be used. The grade could be raised through landscaping.

Tina Miles, Post Road: Questioned the runoff from the parking lot and water impact to the residents on Portsmouth Avenue abutting that area. There was a water problem with those houses when the addition for the school was built. R. Lamarre suggested it could be channeled when the parking lot was built. He will speak with the Principal and SAU50 Administration about their drainage concerns. By code, when they regrade the Library property everything must infiltrate on site. P. Sanderson added that

Underwood Engineering did the Portsmouth Avenue project, and is aware of the restrictions and issues that need to be corrected.

P. Sanderson was concerned about septic on the site due to the small collection field. He questioned if the 25 space parking area could be an alternate septic location in the event of failure. He added that should be negotiated at the time of easement.

In conclusion, R. Lamarre stated this was the concept design phase. It will be posted on the Library website. M. McLaughlin added that the proposed additions will not increase Library staffing. The exterior will be brick and concrete masonry. The existing roof is slate and difficult to maintain; there are metal roofs available that look like slate shingles. It is more expensive, but comes with a lifetime warranty and is very durable. The next step is contacting builders and putting together a cost for the 2018 ballot.

## II. APPROVAL OF MINUTES

### 1. Monday, March 20, 2017

MOTION: P. Sanderson moved to approve the minutes of Monday, March 20, 2017. Second – J. Rolston; three in favor, two abstain (C. Hussey, C. Deorocki). MOTION CARRIED

## III. OLD BUSINESS

### 1. Coakley Update

Chair Morgan updated members on the meeting that included himself, P. Sanderson, the Town Administrator and City of Portsmouth officials earlier that day. Also in attendance were Senator Morse and two local State Representatives, Rep. Mindi Messmer (Rye) and Rep. Renny Cushing (Hampton). He felt the meeting opened the door for future discussions; a meeting has been scheduled for the week of April 10, 2017.

Representative Messmer was able to get assistance from Senator Morse (Salem), president of the NH Senate. Senator Morse is a Trustee of the trust fund held by the State as a result of the additive MTBE being added to gasoline by Exxon; there is over \$300 million in the Trust. At the meeting, Senator Morse offered the State's assistance as the Town works with the City of Portsmouth to consider potential alternatives for bringing municipal water to Breakfast Hill Road. Because there is a source of funds that may be accessible, there was cooperation from the City of Portsmouth to continue discussions; however, there were no promises made and no details discussed. The next meeting was scheduled for Friday, April 14, 2017 with City staff to discuss potential alternatives for how it might work. The Town Administrator added it is a good opportunity; the Town will be able to submit a proposal to the State for approval.

P. Sanderson stated there were some factors in the Town's favor, and identified by Senator Morse: they want projects where source water is protected; Greenland well is an advantage. The City of Portsmouth owns 100' x 100' around that well; Greenland owns all the land around the edge. By working together, a much larger protective radius is provided to safeguard the quality of the Greenland well.

Senator Morse also noted that they no longer wanted to make improvements to State roads without installing infrastructure at the same time; P. Sanderson added that Breakfast Hill Road is a State road.

The third factor was the opportunity to have water systems inter-connect. The fourth factor was solving known problems of contamination and preventing its spread.

Although the meeting was positive, P. Sanderson stated that municipal water on Breakfast Hill Road was not a done deal. However, there were factors indicating this was an opportunity. The Town Administrator added that they requested it not become a social media issue; they would like to get funding before other towns and don't want to promote the availability.

P. Sanderson stated that if there is the potential to bring water down Breakfast Hill Road, the pressure to develop that area will be strong. Better planning will have to be done to prevent an impact on the school; zoning work will be needed before the design and installation of water lines. Also discussed was the opportunity for economic development, including along the rail line and Rt. 33. P. Sanderson stated that this will be "as complicated as anything the Town has ever looked at".

Chair Morgan commented it was a step in the right direction and Portsmouth is willing to work with the Town. The Town Administrator added that the Coakley Group is not involved at this time. P. Sanderson thanked Senator Morse, and Representatives Messmer and Cushing (Hampton) for their efforts.

Jillian Lane, 25 Falls Way: Asked about the effect on the warrant article for professional funds. The response was that it will be needed. Chair Morgan noted that many of the professionals contacted have a conflict of interest due to the City of Portsmouth. If funding is not used for litigation/legal issues, it will be needed for engineering and planning. An RFQ will be issued by the Town for an environmental attorney.

Dennis Malloy, Van Etten Drive: Clarified the funds would be through the MTBE Trust Fund. P. Sanderson added they were told by Senator Morse they would like to create an entity similar to LCHIP. Decisions would be made by experts in the field and less by politicians. They would also like to have more of a continual funding mechanism, and would like to lend funds rather than grant them. Their hope was that through reimbursement, over time the money would grow. For this project, the State would grant a percentage.

D. Malloy also questioned the source of water. P. Sanderson and the Town Administrator responded that the Portsmouth City Manager stated there was plenty of water and had a plan through 2020. He also reminded those present that that was not a promise, but an acknowledgement that a source was available.

## 2. Parker Driveway Access

Steve Gerrato requested that the Board grant a two week extension. Robert Parker has agreed to the two week extension. P. Sanderson explained to the new Board members that this is an extraordinarily complicated situation that has gone to the NH Supreme Court twice. It's going to involve understanding DOT and their driveway authority, Class VI roads, etc.

## 3. Other Old Business

There was no other old business to discuss.

#### IV. NEW BUSINESS AND ADMINISTRATIVE

##### 1. Review of Town Administrator's Bi-Weekly Report

There was no discussion of the Town Administrator's report.

##### 2. Veteran's Credits

Chair Morgan questioned voting on the All Veteran's Credits based on the validity of the elections at the State level. The Town Administrator responded that when she spoke with DRA about signing the MS-232, they said to go forward. The amendment to be presented on Tuesday, April 04, 2017, would give the ability to hold a special Town Meeting to ratify the election. It states that if the ratification vote fails, all actions taken by the Board of Selectmen up to that point are valid. Dean Bouffard, moderator, stated that if the amendment passes, the Board would have to vote on whether or not to hold a special election be held on Tuesday, May 23, 2017. The sole question on that day would be to ratify the vote taken on March 21, 2017 rather than on March 14, 2017. The Board has the authority to say "no" for a special election; the results on March 21, 2017 would still be valid. D. Bouffard clarified that the Board would be required to vote on a special election, but could vote "no". He felt that would be the sensible way to proceed. If a special election was held and the vote was not to ratify the results from March 21<sup>st</sup>, the amendment states all elections and warrant articles would be null and void. The Governor would be allowed to appoint members to Boards that have vacancies. D. Bouffard recommended not having a special election. He continued that when making the decision to postpone the election due to weather, there were no bond issues as warrant articles and only a few contested offices. P. Sanderson added that his concern would be if DRA stated it was illegal; that would prevent the Board from signing the MS-232 report and sending out the mid-year tax bills, which could make the Town insolvent. If that happened, the State would run the Town.

D. Malloy, Van Etten Drive: Questioned if the Town had an operating budget. The response was that the budget passed. P. Sanderson noted that if the results are invalidated, the operating budget becomes invalidated. The Town is proceeding as the results are valid. He continued that legislators should do nothing that would force DRA to invalidate results and tax bills could not be sent.

The deadline for receipt of applications for the All Veteran's Credit is April 15, 2017. Residents requesting All Veteran's Credit previously did not qualify due to specific years of service.

MOTION: J. Rolston moved to approve the All Veteran's credit in the amount of \$500 each for Cheryl Vermette (21 Stone Meadow Way), Michael Fitzgerald (37 Sunset Drive), John McDevitt (291 Bayside Road), Sheila Kennedy (23 Newington Road), Samuel Audia (2 Cushman Way) and Larry Seibert (10 Cushman Way). Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

##### 3. Elderly Exemption

The resident qualifies for the Elderly Exemption based on income and assets. Two residents who had approved Elderly Exemptions that did not qualify last year have been recertified to continue their exemption for 2017.

MOTION: J. Rolston moved to approve the Elderly Exemption for the property at Map U9, Lot 22. Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

#### 4. MS-232: Report of Appropriations Actually Voted

The MS-232 report will go to the Department of Revenue Administration to certify the budget and warrant articles approved on March 21, 2017. Total appropriations for 2017 are \$4,754,127.

MOTION: C. Hussey moved to approve the MS-232 Report of Appropriations Actually Voted as prepared. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

#### 5. State Fuel Distribution Agreement

This is a requirement of the State because the Town's police and fire departments occasionally purchase fuel at the State pumps and are tax exempt. The agreement certifies that those departments are exempt from paying gasoline tax and are authorized to make that purchase through the State.

MOTION: P. Sanderson moved to approve the State Fuel Distribution Agreement with NH DOT. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

#### 6. Cemetery Trustee Appointment

Kevin Van Etten resigned as Sexton in January 2017. Paul Hayden was a Cemetery Trustee and had 2 years left on his term. At the recent Cemetery Trustee meeting, he resigned his position. The Cemetery Trustees appointed him as Sexton; he can no longer be a Trustee. Robert Ellwood was appointed as a Trustee by the Cemetery Trustees for a one year term. RSA 289:6 indicates that the Board of Selectmen are responsible for appointing a replacement Trustee for the remainder of the term. The Trustees are requesting that the Selectmen appoint R. Ellwood as a Cemetery Trustee for a term to expire March 2019 (the statute states the Trustee can be appointed to the end of the term). P. Sanderson requested that R. Ellwood meet with the Selectmen before he is appointed.

#### 7. Town Email

C. Hussey learned that putting the Town email on an android phone required the phone to have a PIN. He stated that the problem had been resolved.

#### 8. 2017 Wage Increases

The 2017 wage increases for Town employees was based on 2.25% for the Police Department and Transfer Station, and a flat increase of \$1,083 each for Town Hall staff. This is in accordance to the way the Town budget was presented to the Budget Committee.

MOTION: J. Rolston moved to authorize the 2017 wage increases as shown in the memo from the Town Administrator dated March 20, 2017 to be effective beginning April 03, 2017. Second – P. Sanderson; roll call: all in favor. MOTION CARRIED

Marcia McLaughlin, Library Trustee, asked how the Library payroll was affected. The Town Administrator stated that it would be based on how the Library submitted their budget. She has also explained the process to the Library Director, telling her that the Town's raises weren't going into effect until this week. The policy has been the first full pay period after voting day.

## 9. Other New Business

- J. Rolston stated that he was approached by a resident with concerns about maintenance of a cemetery on their property and there was a Trust Fund in place. He suggested they speak to the Trustees of the Trust Funds; they should have been referred to the Cemetery Trustees. P. Sanderson added that when a cemetery is on private property, it could be either private or public. The Town wouldn't maintain a private cemetery; a public cemetery on privately-owned property with a Trust Fund would be maintained by the Town. The Town Administrator will contact Michele Kaulback, Cemetery Trustee.
- The Luchsingers' and Paul Hughes attended the 300<sup>th</sup> anniversary meeting held in January. There will be another meeting scheduled in the near future and J. Rolston would like to involve the Recreation Committee. There is a webinar scheduled through the NH Municipal Association website, "Here Comes the Parade: Are Your Volunteers and Recreational Staff Ready?", on Wednesday, April 12, 2017 from noon to 1:00 p.m. Attendees must register through the link. (Link: <https://www.nhmunicipal.org/Resources/Event/891>).
- Chair Morgan reviewed some of the pressing issues for the Board of Selectmen:
  - Coakley Landfill: Greenland did not contribute to the landfill; a chronological list of dates/events will be created and distributed to Board members.
  - Infrastructure: Road repairs must be dealt with on an ongoing basis; Underwood Engineering has done a pavement condition assessment; new members will receive a copy. The report is data driven.
  - E 9-1-1: Public hearings will be held; it's projected to start shortly. Chair Morgan emphasized that the public hearings are not held to discuss if the changes will take place; it was the decision by the Board of Selectmen as a safety issue and changes will take place. Public hearings are held to address questions and/or concerns residents may have regarding their deeds, driver's license, etc. Representatives from E 9-1-1 will be present at the public hearing as well as the Police and Fire Chiefs and the Emergency Management Director. C. Hussey asked if they were continuing with the Bay roads; Chair Morgan stated that was a decision from 9-1-1. The Town Administrator told members that numbering on Falls Way would be next. Engraving on granite posts was mentioned as a concern. Members will receive a copy of the letter sent to residents.
  - Decline in number of Volunteer Firefighters: The Selectmen have just started addressing this issue.
  - MS-4 Stormwater: New regulations become effective in 2018. The Town Administrator will attend a meeting on Friday, April 07, 2017 regarding the proposed changes. She has completed the majority of the written materials needed in the new permit. There will be expenses to the Town in 2018 related to the stormwater changes: streets will need to be swept once a year; outfalls (27) will need to be lab tested once a year during wet and dry seasons; etc.
- Policies to be addressed: Chair Morgan would like to forecast the issues in advance, giving Board members a chance to do research. He would like members to be notified two weeks in advance, if possible.
  - Welfare Policy: Members should each receive a copy of the Town policy, referencing the RSA's where applicable. Knowing the Territory: New members received a copy; it's an excellent source of information. There is a specific chapter that deals with welfare. P. Sanderson suggested reviewing case files in a non-public session to gain an understanding of the process.



The Town Administrator can do a summary of welfare expenses for 2016 that can be discussed in a public session.

- Perambulation: This may go away; legislation has gone to crossover. Chair Morgan's concern was that Selectmen could be held personally responsible and fined.
- P. Sanderson reviewed the Right-to-Know Law with the new members. Public meetings cannot be held by email; the Board cannot discuss anything of substance through email. The Town Administrator added that members cannot "Reply All" to emails she sends. The public has a right to see everything elected officials are doing.
- Governmental Records: P. Sanderson stated it was important to have a location for all town-related email. Anyone can request any governmental email or record. If it's co-mingled with personal items, it becomes difficult to separate if a request is made. Selectmen are encouraged to use their Town email account or set up a separate email address.
- Complaints: If Selectmen receive a complaint, it should be researched, reported to the rest of the Board, and a solution worked on as a Board. Members do not have any power individually, but have authority as a Board.
- Liaison: If there is an issue and a liaison is available, concerns should go through that individual. It can then be discussed with the Board, if necessary. Decisions are made as a Board, not individually.
- Unpublished Meetings: D. Malloy noted that if any combination of members were talking (in this case, three members), it could be construed as an unpublished meeting. The Town Administrator added that Town business should not be discussed if three members were present outside of a meeting.

#### V. ACCOUNTS PAYABLE – THURSDAY, APRIL 06, 2017

##### 1. Payroll Manifest 07

MOTION: J. Rolston moved to approve Payroll Manifest 07 in the amount of \$49,978.84. Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

##### 2. General Fund Manifest 07

MOTION: J. Rolston moved to approve General Fund Manifest 07 in the amount of \$489,304.22 (School - \$130,000). Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

##### 3. Fire/Safety Manifest 03

MOTION: C. Hussey moved to approve Fire/Safety Manifest 03 in the amount of \$161.48. Second – P. Sanderson; Roll Call: all in favor. MOTION CARRIED

#### VI. ADJOURNMENT

MOTION: P. Sanderson moved to adjourn at 8:45 p.m. Second – J. Rolston; Roll Call: all in favor. MOTION CARRIED

NEXT MEETING
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Monday, April 17, 2017 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, April 17, 2017