



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, May 15, 2017 – 7:00 p.m. – Town Hall Conference Room

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

Members Absent:

Staff: Karen Anderson – Town Administrator, Paul Hayden – Road Agent

Chair Morgan opened the Board of Selectmen meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

I. PUBLIC HEARING

1. Acceptance of Donations for Summer Concert Series

- a. LOCO Sports, LLC: LOCO Sports organized a half marathon sponsored by Holloway Mercedes on Sunday, April 23, 2017. In appreciation of the assistance provided by Greenland, they asked to make a donation to be used in the center of Town. The Town Administrator suggested a donation to the Summer Concert Series; a donation was made in the amount of \$500.
- b. Greenland Veterans: A donation was recently received from the Greenland Veterans in the amount of \$1,500 towards the Summer Concert Series.

Chair Morgan opened the public hearing to comments. There being no comments, he closed the public hearing and returned to the Board.

MOTION: P. Sanderson moved to accept the donation of \$500 from LOCO Sports for the Summer Concert Series. Second – J. Rolston; all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to accept the donation of \$1,500 from the Greenland Veterans for the Summer Concert Series. Second – J. Rolston; all in favor. MOTION CARRIED

II. APPOINTMENT

1. Building Regulations and Fees Update: Jim Marchese, Building Inspector

The Building Inspector addressed the Board, explaining that the last sections of the information included in their packet were given to residents applying for building permits. He added that it gives the applicant a better knowledge of what is involved in the building permit process, and asked for the Board's feedback. It's important that a Certificate of Completion be issued. It was his goal to make sure

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he could process and complete the project by issuing a Certificate of Occupancy for a new dwelling or a Certificate of Completion for a project.

Chair Morgan acknowledged that a great deal of work went into the informational packet. He felt the points mentioned needed to be changed and had no problem with most of the suggested revisions. P. Sanderson stated that this is an issue for the local legislative body, not the Selectmen. The proposals need to be reviewed by the Planning Board and placed on the warrant for adoption by the Town. He continued that the Selectmen didn't have the power to deal with most of the proposed changes. He was in agreement that there were some good issues raised. The Town Administrator stated that a former Building Inspector did Building Regulation revisions and fees through the Board of Selectmen, and Zoning Ordinance changes through the Town. P. Sanderson reiterated that Building Regulations and Zoning Ordinance changes were adopted through the Town.

P. Sanderson continued that right of entry and indemnification weren't done through Building Regulations. Indemnification, as an example, is done statutorily. The Building Regulations don't give the Building Inspector the right of entry. P. Sanderson reviewed other issues in the Building Regulations that weren't set by the Town but by statute and enforced by Circuit Court. The Building Inspector responded that his focus was to make people aware of the regulations in an easy manner. Many people don't have access to the New Hampshire RSA's, or don't know how to locate the information.

The Building Inspector based his proposed revisions on Building Regulations in other communities. He continued that these were an educational tool for residents to easily find and have a better understanding of the requirements. P. Sanderson agreed, but added it should be "Frequently Asked Questions" or something similar; it shouldn't be included in a regulation. If a statute changed that might have an effect on a regulation, it could be a year before a revised regulation was adopted by the Town. The Town would be out of compliance with that State statute for a year. P. Sanderson suggested using educational pamphlets to inform the public and "Frequently Asked Questions" on the website.

P. Sanderson suggested tabling the proposed changes in the Building Regulations and refer it to the Planning Board for their review.

MOTION: P. Sanderson moved to table the request from the Building Inspector to adopt the new Building Regulations and refer it to the Planning Board for further work with the idea of creating a warrant article for the 2018 Town Meeting. Second – C. Deorocki; all in favor. MOTION CARRIED

Fees were discussed. The Building Inspector, responding to a question from P. Sanderson, stated that the Building Department surpassed their goal for permit fees in 2016 to make the department self-supporting. The proposed fee changes would level the playing field; if you're building a new home in Greenland, you're paying far less in building permit fees than if you were doing renovations. The square footage fee for a new home is very low compared to \$6 per thousand for renovations to a residence. The Building Inspector explained how he would arrive at the value of a project once it was completed using Vision (accessing software).

P. Sanderson stated it was fine to set a fee so there is cost recovery. However, if it's set substantially above cost recovery, it becomes a tax. The Town would have to be careful when setting fees; it would have to be an amount that would be close to the department budget. It cannot become a profit center; otherwise the Town would be subject to criticism that it was a tax.

The Town Administrator added that a clarification of the cost recovery was needed from the Board of Selectmen. Currently, the revenue from the Building Department meets their budget. There was

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discussion last year about benefits, etc. The Building Inspector told the Board he needs to review the figures again to ensure it's cost recovery. P. Sanderson stated that cost recovery included the Building Inspector's salary and benefits as well as the portion of the Board Secretary's time and benefits that's actually spent in the Building Department.

The Board felt the Building Inspector was headed in the right direction and were appreciative of the hard work involved with the revisions. The Town Administrator suggested authorizing a public hearing to review the update to the fee schedule for a date to be announced.

MOTION: C. Hussey moved to schedule a public hearing to review proposed permit fee changes. Second – C. Deorocki; all in favor. MOTION CARRIED

III. APPROVAL OF MINUTES

1. Monday, May 01, 2017

MOTION: C. Hussey moved to approve the minutes of Monday, May 01, 2017, as written. Second – J. Rolston; all in favor. MOTION CARRIED

IV. OLD BUSINESS

1. Coakley Update

The Town Administrator drafted a letter to Senator Morse from the Greenland Board of Selectmen and the Portsmouth City Council requesting funding. Brian Goetz, City of Portsmouth Water Department, told the Town Administrator that it is under review by the City's Legal Department. The Town Administrator recently received a draft from Underwood Engineers that would be included with the packet to Senator Morse. The information explains the scope of the water main extension. As currently proposed, it would go from the top of Breakfast Hill Road to the bottom, and all the neighborhoods along the way. Not included is the connection on private properties. The Board can discuss trying to have it included within the scope, each resident would pay for their own water connection, or the Town would go after the responsible party for the difference (approximately \$11,000 per house plus the connection fee of \$1,300). It was noted that these are very preliminary figures.

P. Sanderson clarified that at the last meeting with the City of Portsmouth, all parties agreed to work together with Underwood Engineering to arrive at a preliminary cost estimate as well as draft a letter to Senator Morse. The Town Administrator, B. Goetz and several others have been working with Underwood Engineers to develop a scenario of the project. The project would consist of connecting into the existing Portsmouth water system at the end of Breakfast Hill Road, running it down Breakfast Hill Road and extending into all neighborhoods along the way. At the end of Breakfast Hill Road, it would turn left and head back to the Portsmouth City line. This would create a loop into the existing Portsmouth system. The Town Administrator added that the letter will be sent to Senator Morse because funding is being requested through the MTBE Trust that was a result of the Exxon lawsuit. P. Sanderson continued that Underwood Engineering was selected because Portsmouth has a great deal of experience with them and last year they did a very thorough survey of the road conditions in Greenland. It should be less expensive because they have much of the data already in-house. It was noted again that this is a very early conceptual plan.

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The Town Administrator stated they would like to get the letter to Senator Morse by the end of the month. She asked the Board for any changes they would like to see in the Underwood letter or the cover letter to Senator Morse.

P. Sanderson stated there has been no final determination about the sharing of costs between Portsmouth and Greenland. There has been no determination at the State level regarding the money from the MTBE funds through a grant, loan or any other financing alternative. The Town Administrator added that the Portsmouth Herald was inaccurate when it stated that Portsmouth and Greenland have agreed to share the costs—that has not occurred. Portsmouth and Greenland have agreed to share Underwood Engineering's costs.

In response to a question from Dennis Malloy, Van Etten Drive, P. Sanderson stated that the project estimate from Underwood Engineering was \$13.5 million; however, it could go as high as \$16.5 million. That does not include any costs that may be required inside the Portsmouth water system regarding pressure, etc. It also doesn't include the connection from the main into a residence. Underwood Engineering has indicated that the cost of making that connection could vary between \$6,000 and \$11,000. Additional items were received from Portsmouth indicating they normally charge a fee for system improvement of \$1,300 per connection. P. Sanderson stated that is not the final figure for what will be charged in those circumstances. Residents should be aware that the cost could be between \$7,500 and \$13,000 to connect to a municipal water system.

J. Rolston asked if residents would be required to connect to a municipal water system. P. Sanderson stated there is nothing in the Ordinance at this time to address that question. He continued that Town approval would be needed for that as part of the project review. The Town Administrator added the Board could make that a requirement to prevent migration of contaminants. P. Sanderson stated it has not been discussed by the Planning Board or brought before the residents.

The cover letter to Senator Morse that would be submitted with the Underwood Engineering documentation was reviewed. Chair Morgan questioned if it should be mentioned that Greenland had nothing to do with dumping into the Coakley Landfill. The Town Administrator responded it's in the letter but will clarify it further by adding "The Town of Greenland did not utilize the Coakley Landfill in any way". Also added to Paragraph 3: "To date, there are ongoing tests by being performed by DES to determine if a correlation exists linking the cancer cluster to the landfill site. However, residential wells in that area of Greenland show low levels of PFC's and the surface waters in that area tested positive for high levels of PFC's." P. Sanderson noted that Portsmouth is not a franchisee of the water system, but the owner/operator.

D. Malloy stated that Chair Morgan's points were excellent. He was not a part of the Greenland Safe Water action, but on the State level sponsoring bills. He suggested that the Town Attorney read the cover letter after it's reviewed by the City of Portsmouth's Legal Department to make the intent clear there is no connection between a cancer cluster. This would protect the Town and the efforts of the Board of Selectmen as well as making sure they continue to move forward.

The Town Administrator will send the revisions to the City of Portsmouth's Legal Department. P. Sanderson pointed out that the Town Attorney may have a conflict of interest and not able to review the letter. Chair Morgan stated that in lieu of an additional legal review, P. Sanderson and the Town Administrator were aware of the situation.

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P. Sanderson stated for the record that this is not part of the State budget consideration. The State has a fund of money that it has achieved as a result of litigation of oil companies and the MTBE additive, and relief is being sought from that fund. It is not part of the ordinary State budget.

C. Hussey commented that if this moves forward, wells would be shut down even for irrigation. P. Sanderson noted that this has not been considered in any way. Hydrogeology would be needed to determine the draw down impact. Shutting down wells may be necessary closer to the Coakley Landfill than locations further away. It is an important issue, but there aren't any answers yet.

2. Update: Great Bay Drive West Road Re-Construction Meeting

The Road Agent, P. Sanderson and Chair Morgan participated in the meeting on Monday, May 08, 2017. Phil MacDonald, Underwood Engineers, and several residents from Great Bay Drive West were also present. The current status of Great Bay Drive West was recapped by P. Sanderson. A right-of-way for surface purposes, 18' wide, was granted by the Brackett's to the Town in the current location of what is now Great Bay West. Residents told the Town that the road was failing: there were substantial potholes and cracks on the edge of the road, the width of the road was failing, and three culverts were in failure; this was confirmed by Underwood Engineers and the Town's Road Agent.

The Town was concerned about the culvert locations that are in complete failure. They are small 12" culverts which are buried in the mud. DES would have to permit those locations to allow drainage under the road because the area is in the Shoreland Protection Zone next to the Bay. The Road Agent and Underwood Engineers were asked to contact the Pease office of DES to have them do a quick walk-through of that area, look at the culverts, and give the Town an indication what could be done with the culverts.

P. Hayden updated the Board that he hadn't heard from Eben Lewis, DES. P. MacDonald sent paperwork to be signed by the Town and returned if the Board wanted to move forward with the survey of the wetlands and primary engineering. Underwood Engineering combined Great Bay West and Willowbrook Avenue as a cost-savings to the Town. P. Sanderson added that P. MacDonald had indicated if they were going to be in Town, doing both would save money on the mobilization costs. The initial cost of the project is \$14,200.

P. Hayden put down 1,600 pounds of cold patch on Great Bay West over the past week. This was a temporary repair to the potholes.

P. Sanderson stated that at the meeting on May 08, residents of Great Bay West were concerned about going through another winter with the current road conditions and that the road could become a total abject failure. They were assured that the Town would do what it could. However, information was needed from DES regarding permitting before any action could be taken. He continued that it was great to have the Brackett's present at that meeting; they are the land owners who control where the land is located and everything outside of the 18' width. They didn't make any promises and were waiting for more information from DES. P. Sanderson stated the worst case scenario would be to install a 3' to 4' culvert with an enormous header; that would change the elevation of the road substantially (similar to a residence on Bayridge). P. Sanderson added that culvert sizes were unknown at this time. The Town Administrator added that they would need to keep sea rise and climate change in mind when considering culvert sizes.

P. Sanderson stated that P. Hayden and Underwood Engineers would continue their efforts to contact Eben Lewis of DES for basic information regarding permitting. Depending on what is required, the Town

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may have to contact the Brackett's for additional relief. The Town Administrator added that the Board would need to decide if they wanted to sign the contract with Underwood Engineers for the preliminary engineering services only (\$3,200) or do the surveying and wetland delineation at the same time (\$14,200).

David Hagner, Great Bay Drive West, asked who would be doing the wetland delineation. The Town Administrator responded that Doucet Survey works with Underwood Engineers. D. Hagner stated that he had a wetlands delineation done by NH Soils several years ago, and it could save the Town approximately 100' of delineation. They erroneously classified a collapsed culvert as wetland; however, that should be an easy fix. P. Sanderson stated it was helpful; anything DES has in their records is part of the information they will review.

MOTION: P. Sanderson moved to authorize the Town Administrator to execute a contract with Underwood Engineers up to the amount of \$14,200 for wetland delineation and associated engineering services for Great Bay West and Willowbrook Avenue in the Town of Greenland. Second – J. Rolston; all in favor. MOTION CARRIED

P. Sanderson spoke in favor of the motion. It was reasonable and what was promised to the residents. In addition, it supports both of the projects identified as Number 1 on the road plan.

3. Traffic Control Light at School

C. Hussey told Board members that during the approval process for Bramber Green, the Planning Board felt it wouldn't be a bad idea to put a pedestrian crossing light at the school when the Bramber Valley crossing light was installed. District 6 was contacted when the Bramber Valley light was discussed. The Town Administrator stated that Chief Laurent did comment she was concerned about two lights close together. Chief Laurent also stated to the Town Administrator she would be surprised if it was approved on a State road and with the lights being so close together. Chair Morgan stated it wouldn't hurt to look into it; J. Rolston didn't care for the idea and there has never been a problem with anyone being hit in that area. C. Deorocki questioned the cost and how many people crossed the street there; P. Hayden added the biggest time is after school when students cross to the athletic fields. J. Rolston added a police officer is on site for concerts and other events on the Green.

P. Sanderson stated there was an alternative: a pedestrian sign can be placed in the road. P. Hayden noted there is one near the school and it's out during school hours. Pavement markings are poor at this time. P. Sanderson stated District 6 could be asked to do the pavement markings, and it's their obligation. P. Hayden added that according to District 6, Post Road will not be paved this year; pavement markings should not be a problem.

The Town Administrator stated it would be ideal to connect the sidewalks near the school to the pedestrian light at Bramber Green. P. Sanderson added there would be better pedestrian control. The Town could work with District 6 regarding timing if there was a window in the afternoon when students were crossing to the fields.

The consensus was to contact to District 6 for pavement markings and signage. The Board could look at completing the sidewalk so crossing could be done at one spot. The Town Administrator noted that Bramber Green will not be installing a sidewalk on Post Road. P. Hayden will contact District 6; P. Sanderson suggested Chief Laurent may be able to help.

4. Other Business

J. Rolston asked P. Hayden if anyone had been hired to help him with maintenance this year. There have been no applications received. The Town Administrator noted that there was a volunteer to work in the Cemetery this summer.

V. NEW BUSINESS AND ADMINISTRATIVE

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

There was a discussion about the computer system fire wall being struck by lightning. The Town Administrator explained that the fire wall protects the computer system. The Town has a maintenance agreement with Sonic Wall, the maker of the fire wall. In addition, an annual fee is paid to keep the protection up-to-date. Sonic Wall replaced the equipment at no charge, next day delivery.

P. Sanderson stated it was important that the Board go into a non-public session to review computer security. The Town Administrator suggested a June meeting to avoid paying an additional hourly fee this month. The Town's IT provider is paid \$589 per month that includes three hours of on-site service plus daily maintenance behind the scene. Eight hours were used last week to replace the Sonic Wall.

There is a computer scheduled to be replaced as part of the annual rotation to keep equipment up-to-date. The new server is in place and working; most files have been migrated to the new server. He continues to work with staff on the migration. The old server still hosts the email provider.

Also discussed was the recent cyber attack that has been mentioned on the news. The Town Administrator told Board members it was very similar to the Crypto Locker virus that hit the Town several years ago.

Chair Morgan felt that as a public service, there should be something on the website about opening email and updating computers when prompted. P. Sanderson felt it would be unlikely that Town Hall computers would be affected by the latest virus because the software is updated daily.

2. First Half 2017 Tax Warrant

The Town Administrator explained that this is the tax billing for the first half. She provided documentation for the Board showing that the assessing software and the Town Clerk reconciled. The variance is \$131 which is smaller than normal and is the result of negative bills (this was explained to the Board); the allowed variance is 1%. The Town Administrator reviewed the 2016 and 2017 tax comparison that was provided to the Board. The difference in the first half tax warrant should result in a decrease in the Town's tax rate. The School rate increased slightly over \$1; the County rate is fairly stable. If Town revenues increase more than expected, more of the School's increase may be absorbed; it's too early to know. P. Sanderson further explained the process for the tax warrant. The 2017 tax rate will be set in October.

MOTION: J. Rolston moved to approve the First Half Tax Warrant in the amount of \$6,042,915. Second – C. Hussey; all in favor. MOTION CARRIED

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3. Mutual Aid Agreement with Pease

Chief Cresta has requested that the Board approve the renewal of the Agreement for Mutual Aid in Fire Protection and Hazardous Materials Incident Response between the Air Force and Greenland Fire for services at Pease.

MOTION: C. Deorocki moved to authorize the Board of Selectmen Chairman to sign the Agreement for Mutual Aid in Fire Protection and Hazardous Materials Incident Response between the Air Force and Greenland Fire for services at Pease. Second – J. Rolston; all in favor. MOTION CARRIED

4. All Veterans Credit: 2018

Two applications have been received from veterans who qualify for the All Veterans Credit. The deadline to apply for the 2017 tax year was April 15. In addition, both applicants haven't been residents of NH for a year, and would not have qualified for 2017. They will be entered into the system to take effect in 2018.

MOTION: J. Rolston moved to approve the All Veterans Credit for Anthony Avella and Henry Haines for the 2018 tax year. Second – P. Sanderson; all in favor. MOTION CARRIED

5. Acceptance of Bond(s)

The Town Administrator explained that the bond was for landscaping at 125 Ocean Road at the Bluebird Storage facility. The Planning Board has required a \$12,000 landscape bond be in place. P. Sanderson explained that when a project goes through Site Plan Review at the Planning Board, it's reviewed by the Planning Board Engineer. For major projects, a performance bond is required. The bond amount is determined by the Planning Board Engineer and approved by the Board of Selectmen.

MOTION: P. Sanderson moved to approve the bond from Bluebird Storage in the amount of \$12,000 for landscaping to be completed at 125 Ocean Road. Second – C. Deorocki; all in favor. MOTION CARRIED

6. TIF District

A TIF (Tax Increment Financing) District has been discussed in the past for sewer on the commercial side of Town. There has been a discussion about increasing the commercial space in Greenland; he was more in favor of redeveloping the existing commercial space. Was there an interest among Board members? The Planning Board Consultant and Town Administrator may be able to provide the basic information to decide if it was worth moving forward. Chair Morgan suggested researching the pros and cons of TIF Districts online. C. Hussey explained that a TIF District takes an area benefiting from a specific improvement and taxes them at a higher rate. He suggested targeting Rt. 33 and through the center of Town.

P. Sanderson suggested discussing TIF Districts at Planning Board work sessions. The Planning Board Consultant could suggest steps to be taken to get the needed data. C. Hussey stated there is a push for more commercial development in Town; however, water and sewer is not available in those areas. P. Sanderson added if sewer was available, the lot sizes would change as would separation between properties. There would also be the ability to add multi-use properties. P. Sanderson noted the areas that could potentially be changed from residential to light commercial, which would be the study area. The Town Administrator added it was very market dependent; when a property was sold there would be

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a difference in its value. The increase in taxes would be used to pay the bond for the improvement. If the values decline, no funds would be coming in for the TIF.

P. Sanderson added that this year the Planning Board was going have to look very carefully at the Breakfast Hill area. This would be the time to obtain basic data on “clean water in, dirty water out”. The Town Administrator noted that a TIF District was not appropriate for residential areas. There are commercial areas that would benefit.

7. Other New Business

- Historical Grant: J. Rolston was contacted about pursuing a grant from the National Endowment for the Humanities to digitalize the history of Greenland; the grant is available through historical societies, libraries and museums. Leonard Schwab, Great Bay Drive West, has spoken to Paul Hughes about historical information for the Town. The grant would be a great way to digitize that type of information. The deadline for the grant is June 01, 2017. There was a brief discussion about the grant requirements.
- Parker Driveway Access: The Town Administrator received notification that Robert Parker will not be back to the Board of Selectmen until the appeal is complete.
- C. Deorocki has been approached by residents who are concerned about speeding in the area of Palm Drive and Rt. 33 during morning and afternoon rush hours. He has requested the Police Department set up their speed trailer at the intersection of Rt. 33 and Palm Drive. Chair Morgan will speak with Chief Laurent.
- Transfer Station: C. Deorocki received a complaint from a Transfer Station employee about people climbing into the dumpsters. The Town Administrator stated that the Board’s policy is that people can take specific items they need or can use from the metal pile; they cannot resell for profit. They must also sign a release waiver that is available at the Transfer Station. They cannot climb into the dumpsters. Chair Morgan asked C. Hussey to speak to P. Hayden and come back to the Board with a solution.

VI. ACCOUNTS PAYABLE – THURSDAY, MAY 18, 2017

1. Payroll Manifest 10

MOTION: P. Sanderson moved to approve Payroll Manifest 10 in the amount of \$49,898.34. Second – C. Hussey; all in favor. MOTION CARRIED

2. General Fund Manifest 10

MOTION: P. Sanderson moved to approve General Fund Manifest 10 in the amount of \$297,311.93 (School - \$160,000). Second – J. Rolston; all in favor. MOTION CARRIED

VII. ADJOURNMENT

MOTION: C. Hussey moved to adjourn at 8:35 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

NEXT MEETING

Tuesday, May 30, 2017 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: