



**BOARD OF SELECTMEN**  
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**MINUTES OF THE BOARD OF SELECTMEN**

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Tuesday, January 17, 2023 – 6:30 p.m. – Town Hall Conference Room

Members Present: Randy Bunnell, Jamie Connelly, Vaughan Morgan, Steve Smith, Richard Winsor (by phone)

Staff Present: Paul Sanderson, Town Administrator

Also Present: Dennis Malloy, NH State Representative

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Chair Smith opened the Board of Selectmen meeting at 6:30 p.m. A roll call was taken, and it was announced a quorum was present and the meeting was being live-streamed and recorded. Roll call attendance: V. Morgan – present; J. Connelly – present; R. Bunnell – present; R. Winsor - by phone; S. Smith – present.

**I. PUBLIC COMMENTS**

There were no public comments.

**II. APPROVAL OF MINUTES**

1. Tuesday, January 03, 2023

MOTION: J. Connelly moved to approve the minutes of Tuesday, January 03, 2023. Second – R. Bunnell; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED

**III. OLD BUSINESS**

1. Coakley Update

No new information was available.

2. Auditor Request for Proposal

The Board received material for an auditor RFP, including the Government Finance Officers Association’s suggestions for criteria. TA Sanderson stated that preparing an auditor RFP is a major undertaking. He noted that the RFP from the City of Portsmouth is 15 pages long. An RFP can be done but will be very difficult to achieve for the 2022 audit engagement; it will not be difficult for 2023 or subsequent audits. It would be a Board decision to move forward with an RFP for 2022 or to wait and do it correctly for 2023 and ensuing audits.

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TA Sanderson updated the Board on an issue that occurred late last week. The Town received an email from a law office that was involved in a litigation case with Greenland regarding an assessment. The case with the Golf Club of New England was settled in August 2021. Following the settlement, a judgement was made in Superior Court. The judgement was never paid. The Town has been liable for the judgement in the amount of approximately \$46,000 since August 2021.

Board approval of the settlement dated August 2021 has been found. The amount owed is approximately \$47,000. TA Sanderson has contacted DRA; they recommended he contact the Town's auditors. TA Sanderson has contacted the auditors. Their response was that it would be part of the final resolution of the 2021 audit and charged against the unreserved fund balance of 2021. The interest paid in 2022 will be charged against the 2022 unreserved fund balance. In addition, there will be a small amount charged against the 2023 unreserved fund balance.

When speaking with the auditors, TA Sanderson questioned the status of the 2021 audit. They are finalizing the audit and expect to have a draft to TA Sanderson the week of January 23, 2023. It will be shared with the Board when received.

R. Winsor asked TA Sanderson to calculate the additional fees to the Town that would be over and above the original judgement. TA Sanderson responded that it was approximately \$2,000. S. Smith stated that it was the settlement plus 6% interest. TA Sanderson added the interest accumulated for the remainder of 2021, all of 2022 and a few days into 2023. He noted that there is a State statute that if there is an unpaid judgement, it is paid at the statutory rate of 6%.

TA Sanderson reiterated that it would be very difficult to have the RFP drafted, mailed, and scored in time for the 2022 engagement to be done. For the record, R. Bunnell stated that he was disappointed that auditors cannot be changed. He realized that TA Sanderson walked into this situation. Changing auditors has been discussed for a year with the previous Town Administrator. R. Bunnell questioned why it was not discovered during the 2021 audit. He felt the Town was long overdue to change auditors but understood that an RFP would not be done in time for this budget cycle. R. Bunnell suggested it be started now; he did not want to 'be kicking this can down the road for 12 months again' and being told the auditor could not be changed. R. Winsor agreed with R. Bunnell, adding if it cannot be done in 2022 then 2023, which is regrettable. R. Winsor continued that a level of professionalism needed to be added to the Town's finance area; volunteers may have been relied on a little bit too much. R. Winsor noted that the auditors wouldn't have known unless it was coded into the book. R. Bunnell stated that a good auditor would have asked if there was any open litigation.

J. Connelly asked TA Sanderson at what level he thought it was missed. TA Sanderson responded that when a case is settled in Superior Court, it was not a small thing. On that issue, the buck would stop with the Town Administrator. The Town Administrator should keep on top of the issue and advise the Board of the resolution. When TA Sanderson spoke to the auditors, they did not have any report on file regarding active litigation. Responding to J. Connelly, TA Sanderson stated that it had been researched in QuickBooks as the first step, and there was no entry. In Vision, it was duly noted by the assessor and the assessment corrected in accordance with the settlement. The 2021 and 2022 taxes were properly assessed and paid.

TA Sanderson pledged to work with members of the Board on the criteria to be included for the 2023 RFP. J. Connelly noted that he agreed with R. Winsor and R. Bunnell that it was too soon for 2022 but should be done in 2023. V. Morgan agreed that new eyes were needed but this was an administrative

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failure and will be corrected moving forward. He continued that TA Sanderson was 'really in a sludge' here and the Board needed to give him as much slack as possible.

### 3. Computer Update

Following Board authorization, TA Sanderson has contacted RTM. The server is on order and should be received late this week, built, and installed next week. TA Sanderson will meet with the Planning Board on Thursday night about the CIP: the Town Equipment Capital Reserve Fund requires a notation about computers being part of the CIP. If the Planning Board agrees, TA Sanderson will meet with the Trustees of Trust Funds on Friday morning at 7:30 regarding funds from the CIP in order to move forward with the necessary improvements. Responding to a question from J. Connelly, TA Sanderson stated the server, configuration and installation were \$16,000.

### 2. Other Old Business

There was no 'Other Old Business'.

## IV. NEW BUSINESS AND ADMINISTRATIVE

### 1. Budget Public Hearing

TA Sanderson noted there were very few public comments during the budget public hearing on Tuesday, January 10, 2023. There was a question regarding the need for two additional firefighters rather than one. The Budget Committee recommended the Town's proposed operating budget and warrant articles. V. Morgan added there were very few questions due to thorough explanations by TA Sanderson.

### 2. Warrant Article Recommendations

**Article 01: Elections** – No action necessary

**Article 02: Zoning Amendment** – No action necessary

**Article 03: Operating Budget (\$6,146,065)** – Recommended by the Budget Committee 8-3

MOTION: V. Morgan moved to recommend Article 03: Operating Budget in the amount of \$6,146,065. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

**Article 04: Police Station Maintenance (\$9,000)** – Recommended by the Budget Committee 9-2

MOTION: V. Morgan moved to recommend Article 04: Police Station Maintenance in the amount of \$9,000. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

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### **Article 05: Police Equipment (\$2,400)** – Recommended by the Budget Committee 11-0

MOTION: V. Morgan moved to recommend Article 05: Police Equipment in the amount of \$2,400. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 06: Ambulance Billing (\$6,500)** – Recommended by the Budget Committee 11-0

MOTION: R. Winsor moved to recommend Article 06: Ambulance Billing in the amount of \$6,500. Second – V. Morgan; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 07: New Fire Station (\$75,000)** – Recommended by the Budget Committee 11-0

MOTION: J. Connelly moved to recommend Article 07: New Fire Station in the amount of \$75,000. Second – R. Bunnell; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 08: Town Equipment (\$7,500)** – Recommended by the Budget Committee 11-0

MOTION: V. Morgan moved to recommend Article 08: Town Equipment in the amount of \$7,500. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 09: Retirement Liability (\$13,000)** – Recommended by the Budget Committee 11-0

MOTION: J. Connelly moved to recommend Article 09: Retirement Liability in the amount of \$13,000. Second – V. Morgan; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 10: New Firefighter (\$93,536)** – Recommended by the Budget Committee 11-0

MOTION: V. Morgan moved to recommend Article 10: New Firefighter in the amount of \$93,536. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 5-0)

### **Article 11: Fire Department Digital Radios (\$128,000)** – Recommended by the Budget Committee 11-0

MOTION: R. Winsor moved to recommend Article 11: Fire Department Digital Radios in the amount of \$128,000. Second – V. Morgan; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – abstain, R. Winsor – yes, S. Smith – yes. Four in favor, one abstained (R. Bunnell). MOTION CARRIED (Recommended by the Board of Selectmen: 4-0, 1 abstained)

R. Bunnell noted that the Chief knew about the radios. Donations were received last year that R. Bunnell felt would have been better spent on digital radios than a new command truck. He was disappointed that it was not addressed last year; there may also have been grant money that could have been found for the radios.

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Article 12: Use of 300<sup>th</sup> Anniversary Funds (\$4,323) – Recommended by the Budget Committee 10-1 (abstain)

MOTION: V. Morgan moved to recommend Article 12: Use of 300<sup>th</sup> Anniversary Funds in the amount of \$4,323. Second – J. Connelly; roll call vote: V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – no, S. Smith – yes. All in favor. MOTION CARRIED (Recommended by the Board of Selectmen: 4-1)

*R. Winsor voted in favor of the Consent Agenda before leaving the meeting.*

Dennis Malloy, 10 Van Etten Drive and NH State Representative: Stated that the Unassigned Fund Balance was low but was within range (7% to 15%). He questioned the plan to replenish the Unassigned Fund Balance and how comfortable the Board was with it at the current level. V. Morgan was comfortable with it; the balance was one point lower than ideal. Funds to replenish the account are from the Town and School unused budget monies. TA Sanderson explained how he calculated the figure but did not have confidence in the value of revenues received; it may be higher. TA Sanderson was also unsure if federal funding would be available to allow the Smith Farm conservation easement to close. Currently, the \$500,000 is restricted and still in the fund balance. The other variable is whether the Town votes for the proposed operating budget or default budget. Following further discussion, TA Sanderson noted it was not a crisis.

It was noted that the payment of the judgement to Soft Draw would be from the Unassigned Fund Balance and TA Sanderson has notified DRA. Responding to R. Bunnell, TA Sanderson stated the taxes paid varied with the tax rate that year. V. Morgan noted Soft Draw requests an abatement each year. TA Sanderson commented that 17 of 18 holes are in Greenland, one hole and the club house are in Stratham.

R. Bunnell was concerned about the operating budget: the economy has taken a tough turn. If revenue is not brought in and people cannot pay their taxes, that is a concern. TA Sanderson explained the process for tax liens, noting that unpaid taxes are in front of a mortgage. Unpaid taxes are as of December 2022 approximately \$300,000 out of almost \$8 million.

### 3. Brown Avenue Street Light

A request has been received from Paul Conroy, 11 Brown Avenue, to add a streetlight to an existing pole on Brown Avenue (copy on file). Chief Laurent has been contacted about adding the streetlight. She does not recommend this: it would not provide enough safety to justify the cost. The Town would be responsible for maintaining the light. The Board felt it would be setting a precedent.

MOTION: J. Connelly moved to not approve the request for a street light on Brown Avenue. Second – V. Morgan; all in favor. MOTION CARRIED

### 4. Town Hall Streams

The Town has received an annual bill for Town Hall Streams. TA Sanderson has spoken to the owner; they are willing to bill on a monthly basis and adjust the services. The Town currently has a picture-in-picture option which lags. That feature can be removed, and Town Hall Streams can still be used. TA Sanderson noted that the State Legislature uses YouTube, WebEx, Zoom and Microsoft Teams. The State does not allow Google Meets, or any Google applications, on State computers. If the Town standardizes with Office 365, Microsoft Teams and YouTube

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could be looked at. Town Hall Streams is currently the only streaming capability available to the Town until changes are made.

TA Sanderson recommended removing the picture-in-picture feature to save money and pay on a monthly basis. As the Town continues with computer upgrades, the Board can decide on its options. The Town does not have an annual contract with Town Hall Streams.

MOTION: J. Connelly moved to continue Town Hall Streams on a monthly basis at a cost of \$250 per month and drop the Picture in Picture Feature. *Following Board discussion, J. Connelly withdrew his motion.*

Discussion: V. Morgan stated he liked the idea because of transparency; however, there are 1,800 homes in Greenland. The largest number of viewers was 181, most views were minimal. R. Bunnell liked the archival option but agreed with V. Morgan. If people weren't watching, it is a big expense. J. Connelly felt residents should have the option of watching. It was clarified that the annual charge was \$3,000 and the picture-in-picture feature was \$360 annually.

MOTION: S. Smith moved to continue Town Hall Streams on a monthly basis at a cost of \$250 per month and remove the Picture in Picture Feature. Second – J. Connelly; all in favor. MOTION CARRIED

### 5. Other New Business

**Meetings – TA Sanderson:** TA Sanderson updated the Board on upcoming meetings: Wednesday he will meet with Homeland Security Management. The Town Clerk and TA Sanderson met with TD Bank to discuss banking service alternatives. Banking services offered by TD Bank were discussed. TA Sanderson explained that the Treasurer moved to M&T Bank, which has proved to be very cumbersome and difficult as well as expensive in fees.

TA Sanderson will also be meeting with representatives from the ambulance billing service. Medicare requires substantial data for billing purposes. TA Sanderson explained the billing procedure.

R. Bunnell stated he was unaware that the Town was not in compliance with Homeland Security. TA Sanderson explained there are plans that must be adopted at the local level. A major plan is in the process of re-adoption and another needs to be in the process. More information is required about deadline dates. S. Smith explained the different plans to be updated through Homeland Security.

**Rail Improvements:** TA Sanderson updated the Board on the rail improvements in the Osprey Cove area. There is currently a Class VI rail in Greenland. A Class VI rail is the worst and has a 10 mile per hour restriction. On each 30-foot section, only two ties have to be good. Welded rail is used to upgrade tracks for freight purposes and the Downeaster. Welded rails allow heavier trains to travel at higher speeds. TA Sanderson noted that the significance for the Town would be the numerous crossings that are unprotected. When a crossing is upgraded to lights, the cost is approximately \$500,000 per crossing; it is not 100% railroad expense. A portion is allocated to the highway owner. TA Sanderson will be contacting DOT, which regulates this through the Bureau of Rail and Transit, to find out what is planned and the implications for rail safety on the Town's crossings. There is a federal program that helps municipalities pay for the cost of crossing upgrades. The Town has not been notified of any ongoing project or the need to upgrade protection at the crossings. There are approximately 11 rail crossings in Town. J. Connelly asked at what point signal crossings be required; TA Sanderson stated it would depend on the speed of the train. There are proceedings at DOT to determine necessary protection at crossings.

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**Truck Stop Traffic:** R. Bunnell mentioned the amount of truck traffic at the Truck Stop (the intersection of Rt. 33 and Ocean Road). Trucks were holding up traffic on Rt. 33 and doubled up on Ocean Road, and it was a mess. TA Sanderson responded that because it was a State road, it became part of the data that needs to be collected to deal with the potential projects on Rt. 33, including the corridor study. This was obviously another point of failure, specifically the intersection. R. Bunnell stated there had to be some liability on the Truck Stop. TA Sanderson noted that the Truck Stop has tried in the past to increase their capacity and have not been supported by the Town's Boards. It should be documented as a significant safety issue for DOT.

**Incident Management:** TA Sanderson asked: in the event of a serious crash, and the intersection is shut down, does Greenland have the ability to respond to that type of incident? The response would be insufficient. In addition, there are no variable message boards to warn people of that type of issue. DOT has plans in place in specific locations throughout the State and Rt. 33 needs to be included. A special incident management plan needs to be in place.

**Corridor Study:** D. Malloy requested clarification on the corridor study. TA Sanderson stated that DOT will be doing a safety project this summer from the Winnicut River Bridge to the Stratham line. The DOT construction management plan needs to have an incident management plan in case of a major accident.

### V. CONSENT AGENDA

1. Nik and Charlie's Liquor License: Nik and Charlie's Pizzeria recently changed hands. The liquor license must be transferred to the new owner. Chief Laurent has responded to the Liquor Commission; a copy of her letter is attached. She had no questions or concerns about the application.
2. Land Use Change Tax: The assessor has charged LUCT on the following Stillwater Drive properties: R10, 12-A2; R10, 12-A5; R10, 12-8A; R10, 12-A6; R10, 12-A4 (Total LUCT: \$136,670)
3. Elderly Exemption: The assessor has recommended an Elderly Exemption for the resident at 247 Dearborn Road (R12, 22D) in the amount of \$115,000.
4. Payroll Manifest: \$65,494.47
5. General Fund Manifest: Total: \$139,740.90 (Town: \$139,740.90; School: \$0.00)

MOTION: R. Bunnell moved to approve the Consent Agenda as presented. Second – V. Morgan; V. Morgan – yes, J. Connelly – yes, R. Bunnell – yes, R. Winsor – yes, S. Smith – yes. All in favor. MOTION CARRIED

### VI. ADJOURNMENT

MOTION: R. Bunnell moved to adjourn at 7:42 p.m. Second – J. Connelly; all in favor. MOTION CARRIED

### NEXT MEETING

Monday, January 30, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By – Charlotte Hussey, Administrative Assistant