



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, June 05, 2023 – 6:30 p.m. – Town Hall Conference Room

Members Present: Randy Bunnell, Laura Malloy, Vaughan Morgan, Steve Smith, Paul Stanley

Staff Present: Paul Sanderson, Town Administrator

Also Present: Chief Tara Tucker, Sgt. Wayne Bertogli – Greenland Police Department; NH State Representative Dennis Malloy

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.

I. APPOINTMENT

1. Standard Power for Community Power

Representatives from Standard Power addressed the Board and members of the audience who were interested in energy and the community power issue. The Board may want to formally establish an Energy Committee.

Standard Power has been in New Hampshire for 12 years. They have worked mainly with schools and towns. Millions of dollars have been returned to schools, towns, and commercial entities through net metering. They have also captured millions of dollars in grants from the Public Utilities Commission for hydro and solar. Anyone working at Standard Power is required to spend time working legislatively and to actively speak in the house and senate.

A brief history of community power was given. The most important piece of community power was the supply cost and the blend of renewables into that supply. The transmission and distribution are handled by the utility company. It was noted that the utility is not compensated for providing supply.

Community power gets people interested: they have the opportunity to engage more people in the community in the program. A community-wide survey will be done; it is critical to get the voice of the community involved. The Standard Power plan was reviewed (copy on file). The contract can be cancelled at any time by the Town. Standard Power's fee is built into the supplier contract.

An audience member commented that a webinar is available on the Standard Power website that he found very helpful. A question was asked about residents using solar power. They recommend that residents with solar power participate in the program also. They talk to anyone who has solar on their home or plans to have solar.

R. Bunnell asked if they were a producer of green energy or a third-party supplier of it. All of the electricity in the programs is purchased from the same pool of energy that is in the New England ISO. To be green, renewable energy certificates must be purchased and retired. Standard Power is a broker; they buy

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electricity at the best rates possible. They aggregate renewable energy projects and use group net-metering to provide entities with lower rates. They buy from green energy sources as often as possible.

II. PUBLIC COMMENTS

Fred Mason, 14 Tidewater Farm Road: Submitted a letter to the Board of Selectmen requesting the formation of the Greenland Energy Committee (copy on file); there has been an ad hoc group of concerned citizens. The letter was originally drafted by Alice Passer and delivered by F. Mason on behalf of the signatories. They believed the Town would benefit from the creation of an Energy Committee. An Energy Committee would assist the Town in making an informed decision. S. Smith stated that the Board would take it under advisement.

Sarah and Gary Gott, 11 Fish and Game Road: Brought to the Board's attention concerns they have with the property owner at 15-17 Fish and Game Road, Jeff Apsey. The Gott's have been in contact with the Attorney General's office and NHDES stating that the property owner has been filling in and dumping debris in the wetlands as well as clear cutting the wetlands back to Rt. 33. G. Gott stated that NHDES will be making a site visit. S. Gott hoped they would have a cease-and-desist order issued to stop the property owner from building the same structure. They have filed a report with the Police Department: J. Apsey threatened to drive his truck through the shed if they moved it near the property line. As part of their discussion with the Board, they mentioned that J. Apsey had been filling in the wetlands on Cemetery Lane with fill from the septic that he was digging up on Fish and Game Road. L. Malloy confirmed they have contacted the Police Department.

TA Sanderson stated that J. Apsey owns the property on the corner of Portsmouth Avenue and Cemetery Lane, noting that he had received approval from the Planning Board to build a new structure on that lot, subject to conditions which includes approval of NHDES permits. TA Sanderson explained that the buildings on Fish and Game Road now owned by J. Apsey were owned by the Town. The Gott's were correct that the Fish and Game Road area is environmentally sensitive. There is a lot of water in that area and activity in that area has to be done carefully. They have been into the Town Hall to make their complaint; it has been referred to the Building Inspector. He is putting the facts together in coordination with NHDES. TA Sanderson stated the Town does not have jurisdiction to handle wetland violations; that is done through NHDES. A determination must be made, with the Building Inspector, if there has been a violation of the Zoning Ordinance or Site Plan Regulations. The Board will receive a full report. S. Gott stated that when she approached the Building Inspector with her concerns, his response was 'I am a Fire Inspector and new in this position and I don't really know the Zoning Ordinance'.

TA Sanderson stated that the Town has received communication from NHDES assuring the Town that they would inspect what was within their jurisdiction. S. Smith and TA Sanderson will work with the Building Inspector to provide a report to the Board and what type of enforcement action should be taken. This is not being taken lightly. A report and any recommendations will be given to the Board in two weeks.

Kirk Stone, 126 Bayside Road: He is very interested in seeing an Energy Committee formed in Town. He works for the State as the weatherization manager and is 100% behind the Energy Committee.

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III. APPROVAL OF MINUTES

1. Monday, May 22, 2023

MOTION: R. Bunnell moved to approve the minutes of Monday, May 22, 2023. Second – V. Morgan; all in favor. MOTION CARRIED

IV. OLD BUSINESS

1. Coakley Update

No new information was available.

2. Audit Update

TA Sanderson is working on the information required for the audit. No additional information was available.

3. Personnel Policy Update

L. Malloy and V. Morgan updated the Board that they have had a meeting with Chief Tucker and Chief Cresta. They are working on the policy and making progress. Their next meeting is scheduled for Monday, June 12th.

4. Liaison Reports

Fire Department, Building Inspector (V. Morgan): A building permit recap was included in the Board packet; the Building Inspector has not reported any problems. There was nothing to report from the Fire Department.

Police Department (L. Malloy): L. Malloy thanked Chief Tucker for keeping her informed of emergencies or critical information. As of mid-July, the Police Department will be facing a staffing shortage. There was a concern about burnout. L. Malloy suggested there be a meeting to deal with this issue specifically. Chief Tucker stated they are down two positions, one officer will be out with an injury for another month, another officer has a newborn and will be out starting in mid-July. There are currently seven full-time officers and three part-time officers. V. Morgan asked, hypothetically, if they were to lose more officers if there would be backup from the Sheriff. Chief Tucker responded they would have to work out some sort of deal. Responding to S. Smith, Chief Tucker stated it would not be mutual aid if needed on a regular basis. R. Bunnell noted the cost of living in this area and lack of affordable housing was also an issue. Chief Tucker agreed, adding they dropped the requirement that an officer had to live 'x' miles from Town.

Dennis Malloy, 10 Van Etten Drive: There is a labor shortage in almost every career, not only public service. Housing costs are a concern statewide. It is a very difficult demographic situation in New Hampshire; the median age is getting older.

Library (P. Stanley): The concern at the Library is finding help. S. Smith noted they are searching for a new director.

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Planning Board (S. Smith): The Planning Board is moving forward with the Capital Improvement Plan. Responding to R. Bunnell's question about 25 Dearborn Road, S. Smith stated two lots had been approved; the Church withdrew the request for the additional lot adjacent to Rt. 33 due to access. R. Bunnell questioned the water study that was to be done; S. Smith stated that was not done because the additional lot had been withdrawn.

5. Sale of Trailer Update

The trailer has been posted for sale as a sealed bid on the Town's Facebook page and website, and NHMA website. A minimum bid of \$9,500 was part of the specs. The Board may reject any and all offers received. The deadline for sealed bids is Thursday, June 15th; there have not been any bids received.

6. Facilities Committee Update

The Facilities Committee met on Thursday, May 25th. Potential properties in Town that may support a municipal use were discussed at that meeting. After discussion, it was noted that funds were not available to purchase additional property. The consensus was that the committee would focus on Town-owned property, its current use, and how it may be used in the future.

Maintenance Building: A portion of the overhang has fallen and there was a concern about the stability of the structure. Cones and barricades have been put up; TA Sanderson has contacted Families First so the buses no longer park under the overhangs. The Building Inspector, Fire Chief, and TA Sanderson walked through and thoroughly inspected the building. TA Sanderson described the condition of the building. A structural engineer has provided a proposal (copy on file) to look at the building and provide a professional opinion on its current condition. Bennett-Criterium is not, and has not been, a vendor in Town. If the building needs to be remediated or torn down, they will be able to tell if any of the building can be repurposed.

Town Hall/Fire Department: Professionals have detected mold in the Fire Department; the bathroom is being remediated. TA Sanderson described other issues that were found in the Fire Department ventilation. The ducts in the Town Hall are dirty and need to be cleaned; arrangements will be made to do that in July after the audit. One of the air conditioning units in the Town Hall is not working: the Town Clerk's Office was blowing out 90° air. The current units in the Town Hall use freon refrigerant, which cannot be replaced. A different refrigerant cannot be used once freon has been in it. A new system will not be inexpensive. There are four rooftop units, three of which serve the Town Hall; the age and condition is unknown.

The next Facilities Committee meeting is Wednesday, June 21st. L. Malloy has been doing a basic space study to determine if there is enough space in the Town Hall to handle the current staff as well as those serving on the Boards.

D. Malloy asked TA Sanderson how the Town would fund replacing a building in an emergency. TA Sanderson stated the existing budget would be looked at first for unexpended funds that could be reallocated. Highway funds would be a source as well as the unreserved fund balance once the audit was completed. DRA can authorize the use of the unreserved fund balance for an emergency once other options have been looked into.

MOTION: V. Morgan moved to authorize Bennet-Criterium Engineers to assess the Town building known as the Maintenance Building to establish if it is safe for use and/or if it should be demolished, not to exceed

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\$1,200 without authorization; the maximum cost not to exceed \$1,500. Second – R. Bunnell; all in favor. MOTION CARRIED

S. Smith noted that Lane Avenue paving has been completed. The status of the Eversource project off Moulton Avenue is unknown. Repaving Moulton Avenue will not be done until the Eversource project is completed so the new pavement is not impacted by heavy equipment.

7. Contractor Update

TA Sanderson noted that Jim Jones, snowplow contractor, has not picked up his check that was processed two weeks ago. The contract ended May 31st and he should no longer be occupying that building. The new ambulance is expected within the next month and must be housed in a building for temperature control. The Fire Department truck can be moved into that building as well as the Town truck and basic tools. The two ambulances would be in the Fire Station.

TA Sanderson has been in contact with the Town Attorney. A Writ of Possession must be issued by the Circuit Court to take possession of property if the occupant is unwilling to move it voluntarily. The procedure is to give a Notice to Quit. Once the Board authorizes the Notice to Quit, TA Sanderson will post it on the building. A copy will be sent by certified mail and regular mail. J. Jones will be served in hand if he picks up his check. He will have 30 days to remove his property. If not removed, a Writ of Possession will be filed at the Circuit Court. The Sheriff and others will be enlisted to remove the property.

J. Jones has been notified that the check could be picked up. He will need to pick up the check himself; the check cannot be given to a third party.

MOTION: R. Bunnell moved to evict Jones Snowplowing and his equipment from Town property and to authorize the Town Administrator to sign any documents to carry out the eviction on behalf of the Town. Second – P. Stanley; all in favor. MOTION CARRIED

8. Other Old Business

R. Bunnell will provide copies of the policies he drafted for Board review at the next meeting.

V. NEW BUSINESS AND ADMINISTRATIVE

1. Comcast Cable Renewal

The renewal of the Comcast franchise for cable TV has not been done in several years. Greenland's franchise with Comcast is only for cable TV. The Town cannot regulate anything regarding the internet, internet services or personal wireless services. The Board of Selectmen has the ability to give a franchise for the entire Town to one or more companies to provide cable TV services. The advantage to the Town is that there is a requirement of universal service. The Town also has the right to request the PEG Channel (Public, Educational and Governmental).

TA Sanderson stated there were other things that could be done and used the example: in support of the Town's road program, the renewal and removal of assets when road service areas are done could be required.

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The Comcast agreement is 45 pages. Most towns hire a consulting service to assist with the negotiations. The local expert is Cate Miller, an attorney at Donahue, Tucker and Ciandella. Attorney Miller has represented many municipalities in the area. TA Sanderson would like Donahue, Tucker and Ciandella to provide the consulting services. The Selectmen will have the opportunity to review again before signing the contract.

D. Malloy questioned if it included cable service for the Town and School. TA Sanderson responded those are governmental cable drops and can be part of the franchise agreement. The School may have free Comcast service as a cable drop. S. Smith noted there was discussion with the Library to connect to that service. TA Sanderson stated the service at the Town Hall is not free. If the Transfer Station starts accepting credit cards, internet service will be needed there; that service is subject to negotiation. The Town's revenue is approximately \$16,000 per year (1% of Comcast's gross bills).

MOTION: R. Bunnell moved to authorize the Town Administrator to contact Donahue, Tucker and Ciandella for consulting services to assist the Town in negotiations with Comcast. Second – V. Morgan; all in favor. MOTION CARRIED

2. Board of Selectmen's Meeting: Monday, July 03, 2023

The Board of Selectmen's meeting will be held on Monday, July 03, 2023.

3. Other New Business

Breakfast Hill Road Bridge: TA Sanderson advised the Board the Breakfast Hill Bridge over I-95 will be painted this summer. There will be a pre-construction meeting on Thursday, June 22nd. TA Sanderson has forwarded the information to Chief Tucker. He was unsure of the impact of the paving on Breakfast Hill Road, if there would be lane closures, and if police special details would be needed. Chief Tucker will attend the meeting in Concord if there will be impacts.

Piscataqua Region Estuarine Partnership: TA Sanderson attended a PREP conference on Friday, June 02nd. He had the opportunity to meet NH State Senator Altschiller. She would like to meet with the Board of Selectmen on Monday, July 17th, to provide a legislative update and answer any questions the Board may have.

Federal Funding Opportunities: TA Sanderson participated in a webinar on federal funding opportunities. The New Hampshire Municipal Association (NHMA) is creating a Coaching and Technical Assistance Program (CTAP), which is basically a coaching program to assist small communities in applying for federal funding. TA Sanderson will be applying for CTAP; services will be provided to 10 communities, two in similar population to Greenland. Projects need to be identified that may be granted specialized federal funding. This would be different from ARPA; it is primarily related to transportation, the environment, climate change, resiliency, etc.

Financial Policy Certificate Program: NHMA is also creating a Financial Policy Certificate Program. Sessions will be with their financial advisor, Catherine Heck. Sessions will occur between now and September; a certificate will be given at the end of the program, certifying that the essential financial policies are complete.

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Route 33: Responding to a question from R. Bunnell, Chief Tucker stated that some painting needs to be finished on Rt. 33. TA Sanderson stated that the only unresolved issue was that people on Palm Drive felt there was some vegetation that affects sight distance when making a left-hand turn onto Rt. 33. Information will be forwarded to DOT.

Cybersecurity Summit: R. Bunnell announced that New Hampshire would be holding a Statewide cybersecurity summit on Tuesday, June 06th, in Manchester; he will be attending.

VI. CONSENT AGENDA

1. Solar Exemption: The assessor has approved the Solar Exemption for the resident at Map U10, 8 in the amount of \$30,000.
2. Payroll Manifest: \$73,595.99
3. General Fund Manifest - Total: \$903,392.80 (Town: \$52,717.11; School: \$850,675.69)

MOTION: R. Bunnell moved to approve the Consent Agenda as presented. Second – V. Morgan; all in favor.
MOTION CARRIED

VII. ADJOURNMENT

MOTION: R. Bunnell moved to adjourn at 8:13 p.m. Second – V. Morgan; all in favor. MOTION CARRIED

NEXT MEETING

Monday, June 19, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By – Charlotte Hussey, Administrative Assistant