



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, May 22, 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 and Sgt. Wayne Bertogli, Police Department; Dennis Malloy, NH State Representative

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. Rail Trail Update: Bob Dion - Planning Board Chair & Rockingham Planning Commission Representative & Scott Bogle – Rockingham Planning Commission

S. Smith introduced Bob Dion, Planning Board Chair & Rockingham Planning Commission Representative, and Scott Bogle, Rockingham Planning Commission. S. Bogle updated the Board on the construction status of the New Hampshire Seacoast Greenway Rail Trail and the grant opportunity to construct a small trail head at the crossing on Breakfast Hill Road that would allow easy access from Greenland.

S. Bogle explained that there are four phases to the Rail Trail. Currently, Phase 1A construction is in progress from Portsmouth to the North Hampton/Hampton town line. The trail is being built in 2,500-foot segments starting at the town line and moving north; each segment takes approximately one month. Completion of Phase 1A is projected for October 2024. By the end of 2024, 9.6 miles of Rail Trail is anticipated to be completed.

RPC has had assistance from the National Park Service for the past year and a half. The Rail Trail is being built by DOT using federal funds. There are no federal funds available in the trail construction grant to build trail access points and trail head facilities. They looked at 23 trail crossings from Portsmouth to Seabrook and identified which locations have adjacent public land and potential to be developed for trail heads with parking. Based on designs and landowner cooperation as well as grants, four trail heads could be ready for use when the trail opens in late 2024.

A representative from the National Park Service and S. Bogle met with S. Smith and Matt Scruton, former Town Administrator, in the spring of 2022. There is a small portion of land owned by the railroad near the rail trail on Breakfast Hill Road that could be used as a possible trail head on the north side and is relatively dry. There will be flashing beacons at the crossing. There will be a concrete pad with a splitter island to make it more difficult for vehicles to access the trail. Emergency vehicles will have access, if needed. The design from the design workshop last fall resulted in a small parking area for approximately six cars in a lot to the west of the trail. The design also showed a couple of picnic tables and a trail kiosk. The designers

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included a porta-potty enclosure. S. Bogle stated their cost was not to include the porta-potty due to the cost and hassle of maintenance.

They are looking at the Federal Recreational Trail Program, which is a grant. It is US Department of Transportation funding and is managed through the NH Trails Bureau. The grants are typically received by non-profit trail organizations or municipalities. The maximum grant size is \$80,000. The applicant can be a municipality or organization. Applications are due June 16th; notifications are made in the fall. Funding would be received, and work would be started in the summer of 2024. There is a six-month window to complete the work.

S. Bogle stated that the concept they are looking at would be a stone dust parking area approximately 3,400 square feet in area, a 12x18 covered picnic pavilion, and a trail information kiosk. S. Bogle recently attended a pre-proposal workshop at the Trails Bureau. There is a new provision in the infrastructure bill that extends the Buy American Act to buy lumber. It is difficult to build anything with wood with the grant right now; they would be looking at the grant for the stone dust parking area. They hope to come back with private funding in the future to potentially build the picnic pavilion. They have designs for the kiosk and have received a donation for the signage along the 10 miles of the rail trail.

S. Bogle questioned if the Town would be willing to serve as the applicant for the grant; the NH Seacoast Greenway Alliance could also apply for the grant. They have match funding set up. The program requires a 20% non-federal match: cash or in-kind (volunteer hours or Town staff hours). If the non-profit group was the applicant, the Town would be asked to provide a letter of support. DOT would want the Town to include the routine maintenance of the parking lot and trail that the Town has agreed to.

They have contacted the DOT Bureau of Rail and Transit. They are supportive in concept. There would need to be further discussion between the Town and DOT about the details. S. Bogle was at this meeting to update the Board and get a sense of whether or not the Board would be supportive of moving forward. If the Board chose to move forward, they would need to meet with DOT over the next several weeks to further discuss details.

Responding to a question from V. Morgan, S. Bogle stated that the Town would need to maintain the trail head as each town has agreed to do. S. Bogle stated that there should be a non-profit group that organizes volunteers. The Town would partner with a volunteer group.

Replying to R. Bunnell, S. Bogle noted that the State owned the land. The State will need to sign a landowner permission form. The Town would want to meet with DOT to understand the implications. The NH Trails Bureau supports the concept. In the trail agreement, there were terms for beyond the initial construction of the trail that DOT was doing. S. Bogle discussed the DOT requirements.

TA Sanderson stated that the Town could do some of the application, but it was not possible to do project management; the Town does not have the resources. The Town will have an obligation to do maintenance, which seems to be reasonable. TA Sanderson noted it was just outside the groundwater management zone of the Coakley Landfill; the south side is in the GMZ. TA Sanderson continued that the Board would want to work carefully with them about the gate control because of maintenance as the project moves forward. The Fire and Police Departments will need access for public safety issues. S. Bogle stated the initial discussion was to use bollards that would block access by any vehicle. There were problems with bollards, and they opted not to use them to allow emergency vehicle access. L. Malloy agreed in concept and was pleased to see that other towns were participating.

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MOTION: V. Morgan moved to support the NH Seacoast Greenway Alliance serving as the applicant and project manager. Second – R. Bunnell; all in favor. MOTION CARRIED

S. Smith stated that the next step would be a meeting with RPC and NHDOT. S. Bogle will follow up with DOT and TA Sanderson. Dennis Malloy, Van Etten Drive: Clarified that parking will be on the north side and none on the south side. S. Bogle stated the theory was to get something in place on the north side. The groundwater management zone issues can be worked out. It was noted that there is a drainage issue on the south side. Parking on the north side will need further analysis to understand the limitations.

II. PUBLIC COMMENTS

Karen Mason, Tidewater Farm Road: The Greenland Historical Society has been contacted by Arcadia Publishing. They would like to publish a book on the history of Greenland. It would mainly be black and white photos and captions. K. Mason will meet with any Board members who would like to contribute. They are hoping to have the book done by the summer of 2024.

K. Mason informed the board that Ona Judge continues to be a draw for many people. The Town was recently contacted by a woman in Missouri who is interested in putting a headstone on Ona Judge's grave. Michele Kaulback, Cemetery Trustees, and K. Mason met with John Brackett; there is a gravesite on his property. They would like to put a marker or other type of remembrance in Remembrance Park rather than on the Brackett property. There would be no cost to the Town. The group that contacted the Town would be responsible. Black Heritage Trail has also contacted K. Mason. Fund raising would also be involved. They are looking for something manageable that would be nice and respectful. V. Morgan was very interested in the project and offered to meet with K. Mason and M. Kaulback. He added that he was involved in the formation of the new Remembrance Park and there are stipulations that need to be followed.

III. APPROVAL OF MINUTES

1. Monday, May 08, 2023

At the meeting on Monday, May 08th, the Rec Committee discussed the possibility of signage at the fields. At that meeting, 'L. Malloy suggested that it be allowed and at the first offense, shut it down.' L. Malloy, at this meeting, stated that it should be determined and regulated by the Board of Selectmen, it was never decided by whom. R. Bunnell stated that it was not discussed at that meeting; those minutes could not be amended if it was not discussed. It was discussed that the Rec Committee would do some of the supervision. L. Malloy wanted it clarified that if something went wrong, the Rec Committee would not determine if the sign stayed up; it should be the Board of Selectmen. R. Bunnell felt the Rec Committee should be empowered to do what they needed to do. Ultimately, if decisions were made regarding public displays, the Town Administrator would bring it to the Board's attention. TA Sanderson noted that the Rec Department only has the powers they are given by statute. It would be best if action were taken, possibly in court for enforcement, it be by the Board of Selectmen who had those powers by statute.

MOTION: L. Malloy moved that in the event there are questions or problems regarding enforcement of sponsorships, they be referred to the Board of Selectmen for enforcement action by the Rec Committee. Second – R. Bunnell; all in favor. MOTION CARRIED

MOTION: R. Bunnell moved to approve the minutes of Monday, May 08, 2023. Second – V. Morgan; four in favor, one abstained (P. Stanley). MOTION CARRIED

IV. OLD BUSINESS

1. Coakley Update

No new information was available.

2. Audit Update

The Board received an audit checklist at the last meeting. R. Bunnell has looked at the existing policies, helped to inventory them, and provided two drafts of new policies: cash receipts and fraud prevention and fiscal management. TA Sanderson thanked R. Bunnell for a great start. Within the next two weeks, TA Sanderson hopes to have policies for Board consideration. R. Bunnell reviewed the School Board procedure for approving policies.

3. Personnel Policy Update

TA Sanderson did not have any updates for the Board. The last two weeks have been dedicated to computer updates at the Town Hall. TA Sanderson noted there was an open issue with retroactive pay for the Police Department. Chief Tucker was present to address the issue with the Board.

Chief Tucker addressed the Board regarding the retroactive pay of 6% vs. the four to five employees who had an adjustment to their wages above the 6%. Those employees did not receive retroactive pay based on the new wage but on their current wage at the time. TA Sanderson stated that at the Board meeting on March 27, 2023, wage increases for all employees were calculated on 6%. Chief Tucker had stated at that meeting that retroactive pay for some of the Police Department personnel should be based on her budget presentations. At the March meeting, the Board agreed adjustments could be made other than the 6% but a decision was not made on whether that would be effective January 01st or would be prospective only. V. Morgan clarified that Chief Tucker wanted the adjustments to be retroactive to January 01st. Chief Tucker acknowledged that they did receive the 6% increase. The additional amount for the individuals receiving the adjustment is \$3,300, which will be from the Police Department budget.

MOTION: R. Bunnell moved that retroactive pay for the Police Department individual adjustments as presented by Chief Tucker be effective from January 01, 2023 through March 27, 2023. Second – L. Malloy; all in favor. MOTION CARRIED

Retroactive pay will be included on the manifest for the meeting on Monday, June 05, 2023.

TA Sanderson noted that the budget season will be starting soon. Fire and Police should be discussing how to put together a compensation plan. Things that have caused problems over the last year need to be fixed (example: sick leave buy back). TA Sanderson advocated eliminating longevity due to wage and hour implications. A compensation plan should be drawn up that would make sense for 2023 regarding benefits. L. Malloy, V. Morgan, Chief Tucker and Chief Cresta will be meeting on Thursday, May 25, 2023, at 9:00 am, to start the process. The Personnel Policy will be reviewed by the Town Attorney. The Fair Labor Standards Act should be used as guidance. TA Sanderson is attempting to take away ambiguity and impose clarity.

Responding to Chief Tucker, TA Sanderson stated that there are many parts of the Personnel Policy that apply to all employees. There are adjustments to Police and Fire that are necessary because of a 24/7

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response and different work weeks/schedules. S. Smith added there could be one Personnel Policy with addendums for Fire, Police, and other Town employees.

4. Computer Upgrade

TA Sanderson reported that the Town Office is much further along with computer upgrades and new machines are in place. There was difficulty with the software upgrades due to the old server and how things were implemented in the past. There was one copy of Microsoft Office Home version shared with five different individuals and supported the Town Office and Fire Department. That version has been replaced with a licensed copy of Office 365 at a business grade level.

In addition, Manage Engine had been installed on the old server, which is a free ware program. Manage Engine was used to lock specific computers down and restrict access to certain sites. That program has been difficult to remove. A 'clean and install' of Windows 10 will need to be done to the existing computers to remove all vestiges. The plan next year will be to replace an additional five machines. RTM in Bedford has been retained for IT services; they also work with the Police Department.

R. Bunnell questioned if all restrictions were still in place. TA Sanderson responded that detailed work on permissions has not been done. The Town Clerk and Deputy Town Clerk worked closely with RTM to get their programs working. The protection on the system is 'pretty intense'.

5. Sale of Trailer

TA Sanderson prepared a proposal for the sealed bid process. He checked municibid and no one had listed or sold a similar dump trailer in New England over the last several months. He also checked Craigs List and found the dealerships selling dump trailers have dominated the listings; there were very little, if any, used dump trailers of the 2016 vintage. Facebook Market Place is not an option. Because there is local interest, TA Sanderson thought the sealed bid process would be more appropriate.

MOTION: V. Morgan moved that the Town Administrator handle the sale of the trailer. Second – L. Malloy

TA Sanderson noted that the reserve amount on the trailer is \$9,500. REP had provided a quick estimate: a brand-new dump trailer is \$23,000. The Town's dump trailer has some problems because it has been outside for several years. Their estimate was between \$9,000 and \$12,000.

TA Sanderson stated the other rationale was that there were no personnel outside the Fire Department who are properly licensed to haul the trailer. TA Sanderson clarified that the trailer would be advertised on the Town's Facebook page rather than Market Place. R. Bunnell commented that there would not be as big an audience and only serving the Town of Greenland. Responding to R. Bunnell's question, TA Sanderson stated he did not go to municibid because there were no similar items. V. Morgan noted that the Board was spending a lot of time for very little money, adding there have been offers of \$10,000. The Town would not get much more than that.

TA Sanderson stated that if it was listed on municibid it would be in accordance with their online auction rather than the sealed bid process. Individuals would want to inspect before the conclusion of the auction, time was a consideration. Last summer during the municibid process, many people came to inspect the items. TA Sanderson's largest consideration was that there were no similar items on municibid in the New England states in the recent past. TA Sanderson will also advertise on NHMA which will go to all New Hampshire towns.

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MOTION: V. Morgan moved that the Town Administrator handle the sale of the trailer. Second – L. Malloy; all in favor. MOTION CARRIED

6. Other Old Business

Capital Improvement Plan: Requests have been received from the School Department and various Town departments. The Planning Board has started their process. They would like to present a finished plan to the Board of Selectmen in September.

Facilities Committee: There will be a meeting on Thursday, May 25th at 6:30 pm. TA Sanderson updated the Board on the recent facilities problems. Members of the Fire Department were complaining about feeling ill. An indoor air quality report had been done over two years ago using ARPA funds. The report indicated that there was no apparent mold or other things in normal range. It was seriously recommended that all duct work be cleaned. No action was taken during that time period.

TA Sanderson immediately referred the problem to the Health Officer, Dennis Cote. He did a quick inspection and confirmed the duct work was significantly dirty. D. Cote contacted a company to clean the ducts; they were here on Friday, May 19th. On the Fire Department side, the duct work had been spray foamed on the inside to seal it. In addition, in the Fire Department bathroom the ceiling vent is not vented to anything they could find.

TA Sanderson found out earlier in the day that a piece of sheet metal had fallen down in the bus parking area of the building across the parking lot. The sheet metal had fallen from the overhang. TA Sanderson showed the Board a picture of the sheet metal on the overhang, stating they were coming down. He immediately advised Families First that they could not park the buses under the overhang. The roof also leaks. The building was purchased in 2009 and there has been little to no maintenance. The building is currently being used for storage purposes. The building will be discussed at the Facilities Committee meeting. The severity of the problem is unknown. Cones and barricades will be set up so people do not walk under the overhangs. V. Morgan questioned if someone should inspect the building. TA Sanderson thought that should be done so people would know, and showed the Board the screws that were used. He suggested that the company who did the Fire Station repairs may be able to provide an opinion. TA Sanderson will report any findings to the Board.

V. NEW BUSINESS AND ADMINISTRATIVE

1. Other New Business

Band Stand: L. Malloy suggested a beautification project for the band stand. She provided a basket of tools and Rice Krispie treats for the Board. L. Malloy outlined what needed to be done: scrape the paint and prep the areas, plus the items on the list she provided. The goal is to have the project completed before Thursday, June 22nd, which is the date of the first summer concert. L. Malloy suggested that the Board of Selectmen and Town Administrator undertake the project. TA Sanderson noted that the band stand is structurally sound. L. Malloy walked through the band stand with ServPro Painters; they will offer some labor, advice, and suggestions. L. Malloy provided the Board with suggested dates.

Going Paperless: Going paperless was briefly discussed. Several members opted to go paperless. The Board will try a test run at the next meeting.

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VI. CONSENT AGENDA

1. Conservation Commission Appointments: The Conservation Commission has met with the following residents and has recommended appointment to the Conservation Commission, terms to expire March 2026.
 - Sheila Graydon
 - Alice Passer
2. Resignation: Stephan Toth, Conservation Commission (he is also a member of the Planning Board and is resigning from the Conservation Commission to focus on the Planning Board)
3. Storage Trailer Permit: Bramber Valley Properties has requested a storage trailer permit to expire in June 2024. They have received furniture donations for the Seacoast Classical Academy, a public charter school. Their location will not be available until June 2024.
4. Intent to Cut: An Intent to Cut has been submitted for 40 Alden Avenue (Pearl's Landscaping). This will be filed with DRA.
5. Payroll Manifest: \$70,185.74
6. General Fund Manifest - Total: \$42,799.65 (Town: \$41,390.07; Rec: \$1,409.58)
7. General Fund Manifest – Snowplowing: \$139,846.50

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

VII. ADJOURNMENT

MOTION: R. Bunnell moved to adjourn at 7:55 p.m. Second – V. Morgan; all in favor. MOTION CARRIED

NEXT MEETING

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

Submitted By – Charlotte Hussey, Administrative Assistant