



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, June 25, 2018 – 7:00 p.m. – Town Hall Conference Room

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

Members Absent: Chester Deorocki

Staff: Karen Anderson – Town Administrator; Tara Laurent – Police Chief; Ralph Cresta – Fire Chief; Paul Hayden – Property Maintenance Supervisor, Road Agent

P. Sanderson opened the Board of Selectmen meeting at 7:00 p.m. A roll call was taken; it was announced a quorum was present and the meeting was being recorded.

I. PUBLIC HEARING (RSA 231:133 and RSA 231:133-a)

1. E911: Renaming and Renumbering Roads

At the meeting on Monday, June 11, 2018 there was a discussion about renaming and renumbering Great Bay Road and Great Bay Drive to Dearborn Road as well as renumbering a portion of Dearborn Road. Chief Laurent, with the input from the State 911 Agency, recommended that those changes take place. The changes will not be effective until January 03, 2019.

P. Sanderson opened the meeting to public comments. Karen Johnson, 387 Great Bay Road: Questioned if there was an issue renaming a State road. P. Sanderson responded that there was not; the Town was fully in cooperation with E911 which is part of the Department of Safety. K. Johnson also asked what was going to happen with the other portion of Great Bay Road. Chief Laurent stated that the next series of meetings with the Board of Selectmen will address the remaining section of Great Bay Road as well as Great Bay Drive East and West. That meeting will be held on Monday, July 23, 2018. Residents will be notified. P. Sanderson added that the Board of Selectmen would like input from residents that are affected.

There being no further comments, P. Sanderson closed the public hearing and returned to the Board. Chief Laurent noted that several addresses on Dearborn Road will not change; 73' increments were used rather than the normal 50'. The 911 Committee tried to impact as few residents as possible.

MOTION: C. Hussey moved to rename and/or renumber 86 through 256 Great Bay Road, 8 through 73 Dearborn Road, and 4 through 10 Great Bay Drive to Dearborn Road as recommended by the 911 Committee. Second – V. Morgan; all in favor. **MOTION CARRIED**

I. APPOINTMENT

1. Weeks Library Trustees: Expansion Update

Marcia McLaughlin, Library Trustee Chairman, addressed the Board. They requested to meet with the Selectmen to respond to their comments and concerns expressed at the last meeting. Craig McLaughlin, Library Building Committee Chairman, reviewed their responses with the Board.

C. McLaughlin began by stating that P. Sanderson had made his position crystal clear, and he was mainly speaking to the other members of the Board. A copy of the Library responses to the Selectmen's concerns is on file.

C. McLaughlin noted that there is standing water on three sides of the Parish House; the ground there is impervious. Drainage would be improved by adding porous asphalt at the site. There are concepts using underground systems that will solve everything and be according to State code. V. Morgan asked if there were any objections from the abutters. C. McLaughlin stated there is one abutter they have discussed it with; they thought the lot was too small. The architect addressed their concerns. The abutter has a certain type of fence they would like; they also have concerns about runoff flowing onto their property. That will be corrected by collecting the surface water in that corner, re-routing it back uphill and placing it underground. V. Morgan asked, for the record, if they were in agreement; M. McLaughlin responded "as far as they knew". She added that by the abutter's request, any windows from the end wall facing her property have been removed. Her barn will be adjacent to the new addition.

The fundamental design is a separate rectangular, two story addition. The transition to the Weeks building is relatively minor. There will not be a significant impact on the exterior walls. It will be minimal impact and only what's necessary to connect and be ADA compliant. In discussing the agreements between the school and church, C. McLaughlin stated the school has said they would like a continued learning facility near them. C. McLaughlin felt there would be no issue in formalizing binding agreements.

V. Morgan stated that the Selectmen are bound to do what the voters have asked, whether they were in agreement or not. When he does something, he wanted to make sure that all the "t's are crossed and i's dotted". He asked if they had been to the Planning Board even though they are not required. M. McLaughlin stated they have asked to meet with the Planning Board and they didn't have time in their schedule; they do plan to meet with them. V. Morgan continued that a Planning Board has been elected and Building Inspector hired for very important reasons. He didn't understand why the Town didn't have to observe its own Ordinances; it made no sense. If he could get some kind of blessing from the Planning Board and Building Inspector, he wouldn't have any problem with the project. V. Morgan added that he's been approached by several members of the Planning Board and he will ask why they haven't invited the Library to a meeting. C. McLaughlin stated that a presentation had been made to the Planning Board before the vote. Two members stated that if the voters decided to approve the project they were willing to work with the Library. V. Morgan wanted the Planning Board's opinion on record. He would feel more comfortable as a Selectman; he has an obligation to every person who lives in this Town. He would stand behind the voter's decision; however, he needed to make the Planning Board's opinion very transparent as well as the Building Inspector's. He wanted to feel comfortable knowing he did his due diligence as a Selectman. M. McLaughlin stated that C. McLaughlin has spoken to the Building Inspector about their plans on more than one occasion. V. Morgan didn't want to put bumps in

the road; he wanted to make sure what was done was done right. C. McLaughlin stated he was encouraged; they would be delighted to get feedback from the Planning Board.

C. Hussey told C. McLaughlin that the Planning Board would want to know about septic and stormwater. C. McLaughlin stated test pits would be done on Friday with the P. Hayden's help. Underwood Engineers is involved and a survey has been done on the property. Dig Safe has been there. They're taking all the steps necessary to check the permeability of the soil. C. Hussey added the Planning Board is going to want to know if they can get an approved septic system with the State. Underwood Engineers and Altus Engineering are both involved in the process; their credibility is excellent. Both companies have indicated that by using both sites drainage and septic can be dealt with and meet State requirements. C. Hussey recommended they have that information when meeting with the Planning Board.

P. Sanderson questioned "both sites". C. McLaughlin responded that the Church septic is on Library property. One of the principals of the Memorandum of Understanding is that an agreement would be reached on that; in exchange, the Parish House is going to accept water runoff through a chambered system that will be located behind the Parish House. It will also address any runoff from the Church property.

P. Sanderson, stating that they obviously felt he was biased, will recuse himself from the Planning Board during that review; he is the Board of Selectmen's representative on that Board. Some other Selectman will sit on the Planning Board for that review.

P. Sanderson reminded those present that the Church is private property; it is not Town property. They will be fully subject to the Ordinance, and the Planning Board has to look at it that way. That will impact their review. When the design goes before that Board, everything they propose to do to the Church property has to fully meet the terms of the Town Ordinance or be subject to a Variance. P. Sanderson continued that he still had a serious problem with the deed reversion, even though the project can be bonded. The bonding is based on utilizing the full faith and credit of the Town, and the ability to tax rather than the real estate title itself. He felt the deed reversion remained a serious problem. Due to the number of family members possibly having an interest in the land and building, an imminent domain proceeding may be needed to clear title. If that were the case, imminent domain should be done before a \$3 million improvement was made on the property. It will affect the value of the real estate interest held by the 100+ people. He asked the Library to consider that before moving forward. Christine Rockefeller noted that the type of reversionary clause in the deed should not be problematic.

M. McLaughlin stated she struggled with the deed reversion because it's been the Town Library for 120 years; this is a bond for 20 years, not a 30 to 40 year mortgage. The bottom line: if the Town voted to no longer have that as a Library, the bond has to be paid. There was further discussion about the reversion and its implications.

M. McLaughlin requested that, in all fairness, the Selectmen move the bond forward and allow the Library to work with the Board of Selectmen and the Planning Board during the process. She felt they could come to a mutual agreement that will work for the citizens of the Town who voted for the expansion and those who have concerns that can be addressed. They were willing to work with the Selectmen and Planning Board; they didn't want to continue to have impediments thrown on the forward progress. Those who voted did speak.

At the last meeting, the Board reviewed bond proposals and were waiting for the Provident Bank, which has been received. Northway Bank will do a 15 year mortgage at 3.65%. Provident Bank is 2.5% over the

20 year FHP amortizing rate, which would be an indicative rate of 5.03%. Optima Bank offered three options: Option One--one year adjustable for 20 years (2.19%); K. Anderson didn't recommend: a one year can't be done on a calendar year budget. Option 2--five year classic regular rate, adjusted every five years (initial bond rate of 2.65%). Option 3--ten year classic regular rate, adjusted once at 10 years (initial rate of 3%). Municipal Bond Bank was also an option: applications would be due in November and funding available in January. Recent bond sale was 3.55%.

MOTION: J. Rolston moved to apply for the Optima Bank Option 3 (ten year classic regular rate, adjusted once at 10 years with an initial rate of 3%). Second – C. Hussey; three in favor, one opposed (P. Sanderson). MOTION CARRIED

C. Hussey clarified that this was the application and not the bond. P. Hayden asked if he was allowed to do test pits on the Parish House property. P. Sanderson responded it would be up to the Parish House and the Church. C. McLaughlin stated they have made efforts to keep the Church informed; they haven't received a response. C. Hussey stated that if they don't have permission, P. Hayden can't dig. C. McLaughlin responded they will have permission by Friday. The Board was in agreement that if they didn't have permission to do test pits on Parish House property, P. Hayden couldn't do them.

II. APPROVAL OF MINUTES

1. Monday, June 11, 2018

MOTION: V. Morgan moved to approve the minutes of Monday, June 11, 2018. Second – J. Rolston; all in favor. MOTION CARRIED

III. OLD BUSINESS

1. Coakley Update

K. Anderson reported that the EPA's National Leadership Summit on PFAS was being held during the Selectmen's meeting at Exeter High School. A listening session was being held from 4:30 p.m. to 10:00 p.m.; various communities having PFAS and PFOS issues will be giving presentations. There will be another session on Tuesday, June 26, 2018 from 8:00 a.m. to 3:00 p.m.; K. Anderson will attend that session.

Representative Malloy was present during the Monday session. He reported that six communities spoke about their various issues. He felt the Tuesday session would be valuable. K. Anderson thought there may be new information available regarding some technical data on PFC's, levels of contamination, what is dangerous; it may get more into the scientific part. P. Sanderson stated that the new HHS report indicated that 70 parts per trillion was too high and would be coming down closer to the Vermont levels. Vermont's current level is 10; Portsmouth's water system is currently 7.

K. Anderson updated the Board on Jillian Lane's recommendations to the Cancer Cluster Commission meeting. Her email is on file.

2. Recreation Buildings

The Board was updated on the Recreation building estimates and the response regarding the prison labor. They could not guarantee availability on August 20, but the week of September 03, 2018 is a

definite. There is no charge for the labor, officer or transportation; the Town supplies materials and lunch. Similar dug out work was recently completed at Dearborn Park in North Hampton.

K. Anderson had an Eagle Scout interested in doing a flag pole at a park (some of the Town's parks do not have flag poles). Caswell has a flag pole, no flag and it's not lit. The Eagle Scout proposal to his Scout Master is to repair the flag pole, fix the base, restring and paint, put up a flag, and add solar lighting. In addition, he will scrape, prime and paint the dug outs and building at Caswell.

Prison labor would be used at Maloney and Krasko Fields. Peter Fuller, a resident and local contractor, listened to the meeting recording and offered to look at the work to be done at Krasko. The Building Inspector and P. Fuller looked at the needed repairs. P. Fuller will contact Dig Safe about the electrical around the small building and also do a small test pit. He wanted to be sure repairing the corner would hold due to the drainage issue. K. Anderson will receive a report.

The Building Inspector received a proposal and is waiting for one more. P. Hayden stated he is waiting for estimates. He has contacted two concrete companies to look at the building to repair or if it should be replaced. V. Morgan asked that they also look at the lamp post with the broken base to see if it could be repaired. P. Hayden added if the building couldn't be saved, he had an electrician doing an estimate to move the electrical to a new location.

P. Sanderson felt the entire Caswell Field project may be too large a scope for one person (the Eagle Scout project). The flag pole would be a much better project.

3. Library Bond

This item was discussed earlier in the meeting.

4. Other Old Business

C. Hussey stated that the Lonza project is scheduled to be reviewed by Portsmouth's Technical Advisory Committee on Tuesday, July 03, 2018; he would try to attend. C. Hussey also received the name of an attorney in Exeter from the Planner; K. Anderson will check to make sure there are no conflicts with Portsmouth, the PDA and Lonza.

IV. NEW BUSINESS AND ADMINISTRATIVE

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

Due to the revaluation process, there was no Town Administrator's report.

2. Elderly Exemption

The resident at 9 Cortland Drive has met the requirements for the Elderly Exemption based on income, assets and age for Level 3 exemption. The credit will be effective in 2019.

MOTION: V. Morgan moved to approve the Elderly Exemption for the resident at 9 Cortland Drive as a Level 3 exemption, effective in 2019. Second – J. Rolston; all in favor. MOTION CARRIED

3. Bond Reduction: 64 Tide Mill Road

Dance Innovations has requested a bond reduction of \$9,379.80. Work has been completed; the request has been approved by the Planning Board Engineer. The Town will retain \$620.20 for landscaping for two seasons.

MOTION: J. Rolston moved to approve the bond reduction request of \$9,379.80 by Dance Innovations, 64 Tide Mill Road. The Town will retain \$620.20 for a period of two years for landscaping. Second – C. Hussey; all in favor. MOTION CARRIED

4. Other New Business

- Pickle Ball requires the net height to be changed. P. Sanderson stated there is concern about undue stress on the center area where the tennis net is clipped down that would cause some breakage. He asked P. Hayden to check the court and net to make sure there is no damage. K. Anderson was told the net didn't need to be changed just the height.
- M. McLaughlin asked for an update on the Willowbrook construction. The culvert is on hold while they wait additional pieces. Excavation work started today and will continue for the next three days.
- Veteran's Credit: Legislation has passed to increase the Veteran's Credit to \$750; it did not require a change in both the Veteran's Credit and the All Veteran's Credit. K. Anderson will prepare the cost impact for Board review. There are currently 220 veterans in Town receiving the Veterans Credit (\$500 each). This will be discussed again during budget preparation.
- Post Road: P. Sanderson received a call from the Health Officer about the situation on Post Road. K. Anderson stated that no progress had been made. With the help of the Portsmouth Health Officer, the Town's Health Officer wrote a letter to the resident giving them a time certain to clean up the debris. The Health Officer has concerns that some of the garbage needs to be removed soon. K. Anderson told the Board that the Health Officer and her husband were considering doing it themselves; P. Sanderson responded that should not happen, and must not happen. C. Hussey stated that there are able-bodied people living there. P. Hayden was concerned that something could be thrown in the containers at the Transfer Station that shouldn't be and the Town could be fined; it needed to be sorted through. He felt the safest way was a rented container. P. Sanderson reiterated the Health Officer be told that it was not safe and not to touch the debris. He asked if it was a Building Inspector issue also; the volume of discarded items must be larger than two cars. J. Rolston suggested that the resident be informed any debris/garbage taken to the Transfer Station must meet the Town's requirements. P. Hayden recommended it be sorted and brought to the Transfer Station separately (trash in one trip, toys in another, etc.). K. Anderson stated that if the resident didn't take action within the specified amount of time, the Town could pay to have it done and put a lien on the property. P. Sanderson asked K. Anderson to notify the Police Chief of the steps that may be taken.
- K. Anderson reviewed the article about the revaluation that was in Monday's paper. Commercial numbers are "concrete"; residential numbers are almost "concrete". K. Anderson anticipated that based on assessments, 75% of the tax bills will remain the same; 15% will go down; and 10% will increase.
- Bayside Road Paving: The State's portion of Bayside Road is being paved. C. Hussey asked P. Hayden to see if they would fill the pothole on Winnicut Road at the lights on Rt. 33. P. Hayden will check with them.
- Newington Road: C. Hussey asked P. Hayden if he had contacted the Water Department to see if there was a leak under the road causing the deterioration. They haven't gotten back to P. Hayden.

- Bench at Veterans Park: C. Hussey reminded P. Hayden that bench was in tough condition. P. Hayden thought it should be “tossed out”; C. Hussey suggested removing and redoing the wood.

V. ACCOUNTS PAYABLE – THURSDAY, JUNE 28, 2018

1. Payroll Manifest 13

MOTION: V. Morgan moved to approve Payroll Manifest 13 in the amount of \$52,382.37. Second – J. Rolston; all in favor. MOTION CARRIED

2. General Fund Manifest 13

MOTION: V. Morgan moved to approve General Fund Manifest 13 in the amount of \$133,617.66. Second - J. Rolston; all in favor. MOTION CARRIED

The quarterly Library payment of \$72,000 was included.

3. Fire/Safety Manifest 05

MOTION: V. Morgan moved to approve Fire/Safety Manifest 05 in the amount of \$107.65. Second – J. Rolston; all in favor. MOTION CARRIED

VI. ADJOURNMENT

MOTION: C. Hussey moved to adjourn at 8:15 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

NEXT MEETING

Monday, July 09, 2018 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, July 09, 2018