



**BOARD OF SELECTMEN**  
**Town of Greenland • Greenland, NH 03840**  
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**MINUTES OF THE BOARD OF SELECTMEN**

Tuesday, September 04, 2018 – 7:00 p.m. – Town Hall Conference Room

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

*Members Absent:* Paul Sanderson

*Staff:* Karen Anderson – Town Administrator, Paul Hayden – Property Maintenance Supervisor, Road Agent

Chair Morgan 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. APPROVAL OF MINUTES**

1. Monday, August 20, 2018

MOTION: J. Rolston moved to approve the minutes of Monday, August 20, 2018. Second – C. Hussey; all in favor. MOTION CARRIED

**II. OLD BUSINESS**

1. Coakley Update

K. Anderson updated the Board that she confirmed the Seacoast Cancer Cluster Commission will be meeting on Wednesday, September 05, 2018 and again on Wednesday, October 03, 2018, in Concord. Jillian Lane was Greenland's representative to the Commission. K. Anderson has contacted Maria Emory as suggested by J. Lane. Liza McGuckin was also suggested by J. Lane; however, L. McGuckin felt M. Emory would be a better person. K. Anderson hasn't heard back from M. Emory if she is interested or available.

K. Anderson has also spoken to Wendy Stanley Jones; she lives in the Falls Way neighborhood. She is on the Commission and will suggest a name to be added. The Board will be able to discuss it at the next meeting and make a decision before the meeting on October 03, 2018. If both are interested, there can be a primary and secondary.

2. Approval: Lavallee Brensinger Architects Invoice

Chair Morgan stated he would vote to approve the invoice before the Board. However, before he would approve another invoice, he had some concerns. At the last meeting, P. Sanderson had questions that needed to be answered; Chair Morgan would appreciate hearing the engineer's response to those questions at the next meeting. He also asked for a report from the Library on their progress with the

Planning Board. C. Deorocki clarified that Chair Morgan would like that information before another invoice would be approved; Chair Morgan responded “yes”. C. Deorocki was in agreement with Chair Morgan. C. Hussey felt that may hold them up, and it was a “catch 22”. He stated for the record that the Planning Board has no say in this; they are only advisory. C. Hussey stated he would not vote to support a motion that would limit not getting paid; if he was doing the work, he would be very nervous about getting paid. Chair Morgan stated he wasn’t making that kind of motion; he was entertaining a motion to pay the invoice. He would like to see some progress. C. Hussey continued that he would not support anything that would hold up going forward with the Planning Board if that’s what he wanted done. C. Deorocki stated for the record that was not what he was looking for.

Craig McLaughlin, Library Building Committee, informed the Board that they did meet that afternoon with Jim Marchese, Building Inspector, two representatives from Underwood Engineers, and a representative of the architect, to review the septic plans and drainage. The Library Building Committee will provide the Selectmen with the update they want. Chair Morgan stated he would appreciate them keeping the Planning Board updated; it was a good thing to do. C. Hussey noted it was a work session and would be the best time. Marcia McLaughlin, Library Trustee Chairman: should they ask to be put on the agenda or just be at the meeting. C. Hussey responded they should let the Planning Board know they will be there to give an update.

MOTION: C. Hussey moved to approve the invoice for Lavallee Brensinger Architects professional services for the period July 01, 2018 to July 31, 2018, in the amount of \$38, 081.94. Second – J. Rolston; all in favor. MOTION CARRIED

### 3. Memorandum of Agreement: Brackett’s

The Memorandum of Agreement was to grant the Town a temporary right of entry authorization to construct roadway improvements in the Great Bay Drive West area. Chair Morgan stated he read the memorandum and believed it more than acquiesces to the wishes put forth by the Brackett’s at a previous meeting held on May 01, 2018. The sentence the Brackett’s wanted crossed out in the third paragraph usurps the authority of the Planning Board, and he couldn’t go along with it. Chair Morgan continued that if the agreement was signed this week, the road gets built. If not, the money lapses at the end of the year; the onus will be on the people who reside there.

“Perpetuity” has been removed. K. Anderson stated that when the culvert needed maintenance, the Town would ask each year or two years; the Brackett’s were agreeable. C. Hussey added that the Supreme Court has stated the Selectmen can’t tell the Planning Board what do; the Selectmen can say they are giving the Brackett’s three access ways into the property. Alison Brackett stated that their issue was the way it was worded; it could never be used even though the word “never” isn’t in it. It reads that it cannot be used in future development. The Town has taken away the best points where the access would be to enter the property in the future. K. Anderson responded that it’s saying the “access points do not constitute driveways for development purposes”. She explained that it was worded that way so the Planning Board can’t say the Selectmen issued three driveway cuts. They are not driveway cuts; they are access points.

C. Deorocki stated, for clarification, that the wording he saw was “these access points do not constitute driveways for development purposes”. K. Anderson explained the Planning Board could put the driveway where it belongs. She read a portion of the minutes from the May 2018 meeting: *they had not asked for driveways. They want to be able to access their land without damaging the Town road on both sides (height will increase by 2’ in some spots). She had asked Underwood Engineering for a gravel ramp. It would be to the Town’s benefit to have a few inches of tar leading to the gravel ramp, which is*

*construction practice.* K. Anderson suggested changing “access points” to “gravel ramps”. Tom Brackett stated they wanted access to their land if the road was lifted up 2’ or 3’, if his children wanted to put a house on that property. C. Hussey suggested the Brackett’s and the engineer decide where they wanted the access points. K. Anderson reiterated that the Selectmen could not issue a driveway; that was the Planning Board’s role.

If one of her children wanted to use that point in 10 years, A. Brackett wanted a guarantee they wouldn’t be told “no”. Chair Morgan explained that they would have to go to the Planning Board first. C. Hussey added that they would have met with the Town Engineer regarding the location; the Planning Board would have to find just cause why it couldn’t go there. T. Brackett asked why the Planning Board couldn’t sign off now; the response was that they don’t have plans. K. Anderson stated if they wanted to go through the subdivision process now they could do that. C. Hussey stated that with an engineer working with them, it shouldn’t be a problem.

The road design was discussed briefly. It will be gravel and packed; Chair Morgan added that he didn’t like anything being done unless it was done right. Chair Morgan stated that the road repair needed to be done quickly; the window was closing. He asked the Brackett’s to meet with K. Anderson by the end of this week.

The Board was asked where the construction equipment would be located during the repair. K. Anderson was unsure; A. Brackett stated it was part of the construction easement. A. Brackett wanted a paragraph included in the agreement as to where the construction equipment would be located. K. Anderson stated if it was on Brackett’s property, it would be a separate easement. There wasn’t another easement, so it wouldn’t be on their property.

T. Brackett stated he would like to meet with the engineer. K. Anderson will contact the engineer to meet the Brackett’s at the property this week. A. Brackett stated some of the tags had come off the trees to be removed. It was stated the engineer should have a journal with all the trees to be taken down. There is a culvert that will be removed.

MOTION: J. Rolston moved to approve the Memorandum of Agreement as originally written between the Brackett’s and the Town upon their signature if signed this week. Second – C. Hussey; all in favor. MOTION CARRIED

#### 4. Approval: Snowplow Contract

Jones Snowplowing Services was the only contractor to respond to the snowplow RFP. Chair Morgan noted there were slight increases in his rates, which haven’t changed since 2009. K. Anderson reviewed the increases (copy on file). P. Hayden and C. Deorocki agreed the rates were reasonable.

MOTION: C. Deorocki moved to approve the snowplow contract and rates as submitted by Jones Snowplowing Service. Second – J. Rolston; all in favor. MOTION CARRIED

#### 5. Pease Development Authority

Chair Morgan stated he read the editorial and letter to the PDA written by Mark Fougere, Planning Board Consultant, and endorsed both. J. Rolston was in agreement with Chair Morgan. It was suggested by Chair Morgan that the letter should be signed after the primary. K. Anderson and C. Hussey were in agreement that the Board needed to move forward. C. Hussey stated that he didn’t

want to be part of the 10 year plan, he wanted to part of the two year plan. Chair Morgan was in agreement.

MOTION: J. Rolston moved to approve and sign the letter drafted by Mark Fougere. Second – C. Deorocki; all in favor. MOTION CARRIED

C. Hussey stated they needed to move forward and not drag their feet. If they do that, they may be behind another year. He continued that P. Sanderson wanted to get on the 10 or 20 year plan; right now Greenland wasn't a blip on the radar. He didn't want to look at traffic backed up to Stratham Hill Park; Chair Morgan felt P. Sanderson would agree with that. C. Hussey continued that the problem wasn't only with Greenland; PDA also has major traffic problems onto Pease they will need to address.

#### 6. Other Old Business

- Chair Morgan updated the Board on the Fire Department Building Committee meeting that was held on Thursday, August 30, 2018. Committee members include Don Miller, Leonard Schwab, Paul Sanderson, Kevin Forrest and Dennis Malloy. Ralph Cresta is Chairman and Paul Sanderson is Vice Chairman. The Chairman will not vote unless there is a tie. They are expediting the process and would like to have a warrant article for the March Town Meeting. Geo-tech preparations were discussed as well as long term goals. Minutes will be available on the Town website. The next meeting will be held on Wednesday, September 12, 2018 at 7:00 p.m. in the Town Hall. All meetings are public; the public is encouraged to attend.
- C. Hussey stated that M. Fougere is still looking for an attorney for the PDA projects. The last one he contacted had conflicts. K. Anderson told the Board that M. Fougere had located an attorney: Gregory Michael of Bernstein Shur.
- Responding to a question from J. Rolston regarding Bluebird Storage, M. McLaughlin told the Board that they are open. She has spoken to them about the Library and was told to "come on over".
- C. Hussey reviewed a list of work he would like to see done: paint the back door of the Town Office; the Handicap sign; lights inside the recycle area at the Transfer Station—C. Hussey has spoken to Maldini Electric and it would cost under \$500 (P. Hayden has purchased battery operated lights; he will check the batteries in those); trimming trees along Remembrance Park; signs at the dump—no dump picking and one at the construction dumpster—dump construction material at the door. There was a discussion about dump picking and waivers that were signed. C. Hussey wanted insurance policies and workers comp certificates; he didn't want the Town being liable.

MOTION: C. Hussey moved that dump picking not be allowed at the Transfer Station unless they have a \$1 million liability policy and workers comp according to State of NH regulations. Second – C. Deorocki; two in favor, two abstain (J. Rolston, V. Morgan). MOTION FAILED

J. Rolston stated he didn't have enough information; C. Deorocki responded it only takes one person getting hurt. Chair Morgan didn't think it would be a bad idea, but requested it be continued to the next meeting. C. Deorocki stated that the liability would be too much. Further discussion was continued to the next meeting.

- C. Hussey asked if the Rec Committee wanted help to handle the organizational part of the Rec Department, noting it was getting into budget season. C. Deorocki told the Board that the meeting scheduled for Wednesday, September 05, 2018, was rescheduled to Wednesday, September 12, 2018. C. Hussey stated it wasn't going to work if they waited until December. C. Hussey asked P. Hayden for an update on the Rec buildings. P. Hayden responded he was waiting for a clarified bill from the contractor.

- C. Hussey contacted the Portsmouth Water Department about the pothole on Portsmouth Avenue and has not received a response.

### III. NEW BUSINESS AND ADMINISTRATIVE

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

- 2017 Audit: The 2017 audit has been completed. K. Anderson has reviewed the draft and submitted it to Optima Bank for the bond application. The Governance Letter will be ready for review and Board signatures at the next meeting. The Management Discussion and Analysis report was included in the packet for review. The report is completed by K. Anderson to show management's view of the audit; it's a summary of the audit.
- Road Markings: Two bids were received for the line striping. The bids have been reviewed by the Property Maintenance Supervisor and awarded. The low bidder has done work for the Town in the past and is local.
- Conservation Intern: Josh Churchill, Conservation Commission intern, has left for college. He was invaluable to the Conservation Commission with the inventory of the Town's conservation land and inspection of where trash has been dumped and the location of invasive species. He did an excellent job taking pictures of the Town properties. J. Churchill was able to assist K. Anderson by reviewing the Town's catch basins and outfalls for the MS-4 permit, taking pictures and documenting dry weather conditions. Documenting dry and wet weather conditions is a requirement of the MS-4. J. Churchill will let K. Anderson know his availability for future work; he was allotted 120 hours and only used 47 hours. He did a fabulous job.
- Hillside Avenue Drainage: K. Anderson met with the Primex claims adjuster who is working on the flooding claim. The adjuster reviewed all contracts for the work that was done, focusing on the work by Busby in 2015 to determine if a contractor may not have blocked that one specific catch basin. The resident asked if the insurance company was going to pay; he was told it was really doubtful—mother nature does this type of thing all the time and the Town has worked diligently on his behalf. The adjuster didn't feel there was liability to the Town at this time. P. Hayden has spoken to the resident about the last two heavy rains; there was no water in his house.
- Building Maintenance: Carpets were cleaned on Thursday, August 23, 2018. Wear paths are noticeable and some carpeting may not last another year (duct tape has been used to hold seams in place). K. Anderson will have pricing for budget discussions.
- Town Sign: The message lines are no longer working; one side can be used, the other side is limited. The brackets are coming off and have been repaired several times. This year \$5,000 has been budgeted for the sign. The possibility of an LED sign has been discussed with messages that can be changed remotely. One quote for over \$28,000 has been received; two more are in the process. K. Anderson asked the Board for their opinion of an LED sign or one similar to the existing. Chair Morgan stated he liked the idea of an LED sign for the convenience of changing messages, more messages can be added, and residents would be more aware of what was happening in Town. He would like to move forward with additional quotes for an LED sign. K. Anderson explained that the Town is limited by the Sign Ordinance as to the size of sign, and that has been maintained. The format is similar to what is on the current sign; the LED message section is the same size as the current message section. Messages will not scroll to avoid being distracting to drivers; messages can be changed frequently with different messages on either side. The Board was in agreement that additional prices are needed.
- Great Bay Drive West: This was discussed earlier in the meeting.

## 2. Management's Discussion and Analysis Report

The 2017 MD and A Report outlines what the Town has done and what has happened over the last year. The key is budgetary highlights: the original budget appropriation didn't change; revenue estimates were adjusted in September 2017. The total budget was under expended \$57,534 by restricting spending in many accounts to balance the budget due to an extremely hard winter. Public Works was over expended by \$218,196; General Government had to conserve \$251,544. Many items under Building Maintenance didn't happen. The Unassigned Fund Balance was \$2.279 million; during Town Meeting in March, residents voted \$425,000 for deposits into Capital Reserve Funds and \$85,000 was used to reduce the tax rate. Revenues were less than estimated by \$146,000; the unexpended budget balance was \$204 for a total increase of \$57,534. \$31,062 was set aside for property taxes not collected at year end plus some abatements; the Fund Balance increase from 2017 into 2018 for tax rate setting increased by \$26,000. K. Anderson noted this was a tight budget year due to a very bad winter. The Unreserved Fund Balance is \$1.6 million. Equipment was the only asset added by the Town.

MOTION: C. Deorocki moved to approve the Management's Discussion and Analysis Report as submitted. Second – C. Hussey; all in favor. MOTION CARRIED

## 3. Hiring of Seasonal Help

Chair Morgan stated that temporary help was hired on an emergency basis. The Property Maintenance Supervisor's summer help has gone back to school at a critical time. He was able to find a replacement, but it happened before this Board meeting. He asked his liaison for permission to hire temporarily.

Chair Morgan wanted to make it clear that the proper procedure for this type of situation would be to contact the Town Administrator who would contact the Board of Selectmen. As Selectmen, they cannot electronically contact a quorum of the Board to discuss Town matters unless it's done publicly. K. Anderson stated that she received the text message from P. Sanderson asking for her thoughts; she responded that "she didn't have a problem with that". She added that in retrospect, she should have responded that it couldn't be done and suggested they meet in the morning in an emergency meeting if it was that critical; she took responsibility for that. Chair Morgan responded that everyone makes mistakes.

C. Deorocki asked about the text; he wasn't included in the text. He stated for the record that he was not in the loop at all; Chair Morgan responded "right". C. Deorocki asked who originated the text. He asked C. Hussey if he received a text; he did not. Chair Morgan acknowledged that C. Deorocki and C. Hussey did not receive a text. K. Anderson stated the text originated from P. Sanderson. C. Deorocki was very unhappy with the whole thing, and stated it was not the first time this has happened. Chair Morgan responded that to his knowledge it hasn't happened before. C. Hussey stated that at first he was upset, secondly he was disgusted, and now he's disappointed. C. Deorocki added that summed it up for him as well. C. Hussey continued this was the second time a non-emergency was used and two Selectmen were not even notified. He was going to let it slide one more time, and added "do not let it happen again". This was not an emergency. The first time help was hired, P. Hayden was four weeks behind; C. Hussey didn't see this as an emergency. The other one was no emergency but was within his term. He wanted good communication and has always said there has been poor communication in the Town. This was a prime example; it came down from the top and it needs to stop. It was only fair for everybody and upsets people.

C. Deorocki stated he wanted to touch on transparency in government. Openness, accountability and honesty define government transparency. In a free society, transparency is government's obligation to

share information with citizens; it's at the heart of how citizens hold their government officials accountable. This Board is not transparent with itself; how is it going to be transparent with the Town's people? Communication is horrible. It's back door, Sunday afternoon, not full Board included. He was here for the last emergency when help was hired; it was done the right way. He had a problem with it and it should have gone out. Other people in the world should have been able to apply for the job. To him, it seemed like a back door deal. Why was it such an emergency? Did we not know the other help was going to leave? Did he give any notice? P. Hayden responded that he had a week notice. C. Deorocki noted that there was a week to discuss that someone may need to be hired and an emergency meeting may be needed. It should have been done the proper way. He was disgusted.

For the record, C. Deorocki stated he would like to bring back the discussion about videotaping all meetings. He would like it to be brought up with the public. It's almost 2019. On audio, the Board talks over each other and people can't hear; the written is only as good as can be heard. C. Deorocki continued that he didn't want to be on television, but there needed to be some accountability. Chair Morgan suggested it be done on a warrant article; C. Deorocki acknowledged that was what he planned to do.

J. Rolston stated he saw it as a lapse in judgement. C. Deorocki asked him how many times it's happened; J. Rolston was unsure. C. Deorocki stated it didn't matter; protocol should be followed. If not, they should be held accountable.

J. Rolston suggested posting the position. C. Hussey stated he didn't have a problem hiring Matt Gobbi; he just didn't like the way it was done. Chair Morgan responded that was understood. K. Anderson explained it was a seasonal position that expires in November.

MOTION: J. Rolston moved to approve the hiring of Matt Gobbi as seasonal help through mid-November 2018. Second – V. Morgan; two in favor, one abstain (C. Hussey), one opposed (C. Deorocki). MOTION CARRIED

#### 4. Addition of Names to Veterans Monument

Selectmen Rolston requested the following names be inscribed on the Veterans Monument in Remembrance Park to be done prior to Veterans Day: Donald Brackett, Jr; Paul J. Cochran (with a star, he was killed in action); Paul M. Dovich, Jr.; Daniel A. Demers; Mike J. Toth (approved by the Board in 2016); Andrew M. Poulin (approved by the Board in 2016). K. Anderson has paperwork for P. Dovich and D. Demers. Requirements are the DD214, which shows they lived in Greenland on entrance into the military and they were honorably discharged. Paperwork has not been received for D. Brackett or P. Cochran. J. Rolston noted that P. Cochran was killed in action and paperwork would not be available. Chair Morgan asked if there was any verification. J. Rolston went to school with him; P. Cochran spent his last night at J. Rolston's house. Chair Morgan wasn't doubting him, but documentation was needed. C. Hussey suggested contacting Kevin Forrest for help.

MOTION: C. Hussey moved to approve the names of Donald Brackett, Jr; Paul J. Cochran (with a star); Paul M. Dovich, Jr.; Daniel A. Demers; Mike J. Toth; and Andrew M. Poulin to be inscribed on the monument in Remembrance Park to honor those residents who have served our country. The Town Administrator is authorized to arrange for the names to be inscribed with receipt of proper documentation. Second – J. Rolston; all in favor. MOTION CARRIED

#### 5. Other New Business

- The Building Inspector provided the Board with a letter that will be sent to pool owners that don't have a 5' fence around their pool. Chair Morgan admitted he was on that list and had to bring his fence into compliance.
- C. Hussey asked K. Anderson to contact the Planning Board Chair regarding the CIP to have someone assigned to send out information.
- Randy Bunnell, McIntosh Way: R. Bunnell was present as the School Board Budget Representative. He asked the Selectmen to think about their representative to the Budget Committee. He felt that last year was very contentious and not thoughtful when it came down to cutting the budget from a bottom line prospective. He was in favor of fiscal responsibility, but he wanted some thought behind how potential cuts are proposed or even help them. He spent several years on the Budget Committee and now was the School Board Budget Representative; he wanted to make sure they worked collaboratively. He acknowledged there was a lot going on in Town. The Town has a budget, the School has a budget and the Library has a budget. R. Bunnell asked that the Boards work together and consider who is appointed to the Budget Committee.

#### IV. ACCOUNTS PAYABLE – THURSDAY, SEPTEMBER 06, 2018

##### 1. Payroll Manifest 18

MOTION: J. Rolston moved to approve Payroll Manifest 18 in the amount of \$50,805.75. Second – C. Hussey; all in favor. MOTION CARRIED

##### 2. General Fund Manifest 18

MOTION: J. Rolston moved to approve General Fund Manifest 18 in the amount of \$746,132.10 (School - \$435,000). Second – C. Hussey; all in favor. MOTION CARRIED

#### V. ADJOURNMENT

MOTION: C. Hussey moved to adjourn at 8:00 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

#### NEXT MEETING

Monday, September 17, 2018 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, September 17, 2018