



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, June 22, 2020 – 7:00 p.m. – Virtual via Zoon

Members Present: Jamie Connelly, Rick Hussey, Jim Rolston, Steve Smith, Rich Winsor

Also Present: Matthew Scruton - Town Administrator

Chair Smith 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 held virtually through Zoom and recorded by video and audio. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Chair Smith.

Attendance of Selectmen was taken by roll call: J. Connelly - aye, R. Hussey - aye, J. Rolston - aye, R. Winsor – aye, S. Smith - aye.

I. APPOINTMENT

1. COVID-19 Update: Dennis Cote, Emergency Management Director

Dennis Cote, Emergency Management Director, updated the Board on the latest COVID-19 statistics. NH is in week 2 of Phase 2 and day 90 of the COVID emergency. Greenland's numbers are great. D. Cote stated that the Town could move forward on the opening process. He has spoken to Chief Laurent; the Transfer Station is now handling things on their own. D. Cote emailed the Board the guidelines for re-opening the Town Hall and has spoken to Town Hall staff.

Chair Smith has spoken to the Tax Collector; she felt things were going very well. The revenue stream is looking good and there were no significant issues with the building being closed. Chair Smith continued that with re-opening, social distancing and cleaning will be normal for quite a while. The Board can discuss requiring masks. A concern was using the Conference Room as a waiting area, who would maintain the door, and an area for plan reviews. Chair Smith recommended re-opening Monday, July 06, 2020. Supplies should be in place prior to opening.

J. Rolston recommended that face masks be required if entering the Town Hall; if they do not want to wear a mask, they can continue to do business the way it is being done now and not come into the building. R. Hussey concerns: who would be letting the people in, who was going to be watching them and who was going to make sure they were wearing a mask? Was the Town going to have to hire someone? He noted that some towns were holding off opening to see where the trend was going; there has been an increase in 22 states. R. Winsor asked if anyone had received feedback from people in Town that an undue burden has been created or was hampering them in getting anything done. What he has heard has been very supportive; there was no urgency to re-open. J. Connelly stated he was not in a rush. Who was going to monitor and be the "traffic cop"? If the Town Hall staff does not feel their

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work has been hindered by closing, re-opening could happen slowly. He was not a big fan of opening up just yet.

TA Scruton agreed with Board members and did not see the urgency to re-open. Town Hall operations were being accomplished without much hindrance. He will support re-opening when the Board is ready, with safety measures and protocols in place. The drop box and residents using the internet is creating efficiency. Town Hall staff are concerned about COVID and trends in other states. TA Scruton stated he would support a delayed re-opening and urged the Board to wait until there is a better sense of the trends.

Chair Smith suggested tabling further discussion of re-opening the Town Offices until a later date. J. Connelly stated in the interim there should be a plan put in place including possibly a cleaning service in the building once a week. J. Rolston was concerned about efficiency when staff was answering the door. He did not want to meet again in two weeks; a plan needed to be in place before then.

D. Cote discussed the COVID trends and spikes. The request for re-opening the Town Hall was to have a plan in place, which is what he proposed. He was comfortable leaving the Town Office doing business the way it is currently being done. A key point is that there are two elections in the fall; those elections have to be held and staffing needs to be available. There needs to be a back-up plan. He felt the re-opening should be eased into and not rushed; all safety measures should be in place. Some of the safety measures were discussed.

D. Cote has started the first round of the grant process. There is approximately \$12,000 to be reimbursed; he is working on getting it completed and submitted. The funding is there.

D. Cote stated that to “carte blanche” open up would be okay. If the general consensus was to ease into re-opening, he suggested starting by appointment to review plans and files and continue with online registrations, etc.

J. Connelly: Did the Board object if TA Scruton looked into a weekly cleaning service. He suggested Dutch doors. D. Cote noted the Building Inspector had a Dutch door and recommended one for the Administrative Assistant. The Town Clerk’s side is efficient with the glass doors and plexiglass as well as great visibility. The Dutch doors and weekly cleaning to keep the building safe would be reimbursable at this time. Until the end of COVID, anything that is done for the safety of employees and general public is reimbursable.

D. Cote has spoken to Chief Laurent regarding the Transfer Station. He felt it would be safe to curtail the detail because it is outside and the number of people gathering is no longer an issue. Chief Laurent joined the meeting and agreed with D. Cote about the Transfer Station. She added that Transfer Station employees should be able to limit the flow if necessary. Chair Smith agreed the details should be curtailed at the Transfer Station; he did not think there was currently a need. The stop sign will remain in place.

MOTION: R. Hussey moved that all safety measures are to be in place and the Town Administrative have a plan to re-open and come back to the Board with the plan so the Town Hall can re-open.

Discussion: R. Winsor asked to make an amendment to the motion. He wanted to include proposals for weekly cleaning services to provide such services to the Town Hall with a minimum of three bids as well as bids to have Dutch doors installed at the Administrative Assistant’s office. R. Hussey added it would

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be with the understanding of the employees and Town Administrator that the Board would be informed everything was in place.

AMENDED MOTION: R. Hussey moved that all safety measures are to be in place and the Town Administrator must have a plan in place to re-open. The Town Administrator must come back to the Board with the plan so the Town Hall can re-open. Further, a weekly cleaning service will be hired for the Town Hall after a minimum of three proposals are received and a Dutch door is to be installed at the Administrative Assistant's office. Second – R. Winsor; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

TA Scruton clarified that he could hire a cleaning service, after receiving three verbal bids, prior to the next Board meeting and get the Dutch doors ordered without delay. Chair Smith stated that should be done as soon as possible to facilitate the opening.

II. PUBLIC HEARING

1. Acceptance of First Responder Stipends – Police and Fire Departments: State of New Hampshire

Chair Smith opened the public hearing. TA Scruton stated that the purpose of the public hearing was to accept the stipends from the State of New Hampshire for the Police and Fire Departments. Police Department first responder stipend was in the amount of \$21,128.54; the Fire Department first responder stipend was \$19,057.14. The Town issued the first checks on Thursday, June 18, 2020.

MOTION: R. Hussey moved to accept and expend the first responder stipends from the State of New Hampshire. The Police Department received \$21,128.54; Fire Department received \$19,057.14. Second – J. Rolston; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

III. PUBLIC COMMENTS

Road Paving: Tim Collins joined the meeting. He had a copy of the road study that was done several years ago by Underwood Engineering. There was a lot of good information in it, however, not everything needed to be done. He felt it was a menu prepared by Underwood Engineering to continue to get work from the Town at a very high rate. In the past, the Town has issued the RFP's for paving; there is no control over which company gets the bid if an engineering company handles the RFP's. T. Collins offered his assistance. R. Winsor asked if the output received from Underwood Engineers generated the specification needed to rebuild the road or was it built later. T. Collins responded that some specifications were included in the book. An engineer could be consulted on a large job but was not necessary on the smaller jobs. T. Collins stated that road paving should not be bonded; by the time the bond was paid, the Town would be repaving again. Chair Smith clarified that the Bayside Road quote from Bourassa Construction (\$334,945) did not include culverts. T. Collins estimated the culverts at \$15,000; four culverts would be approximately \$60,000.

Fire Department: Chief Cresta joined the meeting. He updated the Board that one of the full-time fire fighters left Greenland and went to another town. Chief Cresta has done a background check on a potential candidate to fill the position, Rob Cook III; he has been a member of the department since 2014. Chief Cresta reviewed R. Cook's qualifications with the Board. Chief Cresta was seeking Board approval to hire R. Cook, currently a Lieutenant in the Fire Department.

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MOTION: Chair Smith moved to approve hiring a new fire fighter for the Fire Department. Second – J. Connelly; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

IV. APPROVAL OF MINUTES

1. Monday, June 08, 2020

MOTION: R. Winsor moved to approve the minutes of Monday, June 08, 2020, as written. Second – R. Hussey; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

V. OLD BUSINESS

1. Weeks Library Update

The Board received copies of reports from John Turner Consulting and Jack Shephard, Building Inspector. J. Shephard joined the meeting and updated the Board on the Library construction. R. Winsor asked J. Shephard if he had sufficient support and resources available to address any construction issues or if there was a need for engineering validation. J. Shephard responded that he has contacted Beverly Kowalik for her opinion on several occasions.

2. Coakley Update

The Board received copies of the EPA update on the Coakley Landfill site and the City of Portsmouth water quality report.

3. Conservation Easement: Portsmouth Well Area

Al Pratt, City of Portsmouth Water Department, joined the meeting. At the last Board meeting, TA Scruton was asked to contact the City of Portsmouth for more information on the well easement adjacent to Maloney Field. The City of Portsmouth would like Greenland to hold the conservation easement.

A. Pratt indicated that Greenland would not be required to do enforcement and there would be no repercussions. A. Pratt indicated that the State of New Hampshire could enforce the terms. TA Scruton consulted with the Town Clerk on the impact if the property were exempt from taxation. It is currently a 3.11 acre lot assessed at \$229,200. In 2019, taxes were \$3,759. That taxable income would be lost to the Town if Portsmouth purchased the land and put an easement on the property. That did not include the future taxable value if a house were built on that lot.

The Board was informed by A. Pratt that Portsmouth has been selected to receive a grant through the Drinking Water Groundwater Trust Fund in the amount of \$90,000 to help cover the cost of purchasing the property. The property is a priority; it is within 400 ft. of the Greenland well which is considered a protected area. The well provides water to approximately 550 Greenland customers. Deed restrictions are part of accepting the grant from the Trust. The language in the deed restrictions from the Drinking Water Groundwater Trust Fund is unclear as to who holds the authority of the restrictions. His understanding was if the restrictions are not clear in the deed, they are held by the previous owner. A. Pratt's feeling was that the protection should go to a party with an interest in protecting the property.

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The City of Portsmouth has contacted the State as well as Southeast Land Trust about holding the easement; those attempts were unsuccessful. In Portsmouth's opinion, it made sense for Greenland to hold the easement; the Town would have authority rights to make sure the land is protected the way it is written in the deed. The questions (copy on file) submitted to them by TA Scruton were reviewed by A. Pratt.

R. Winsor: Asked A. Pratt to elaborate on the unacceptable liabilities to the City of Portsmouth if the previous property owner were responsible for deed restrictions. A. Pratt responded there was a concern that the current property owner would not be there forever. The next property owner may want to bring a lawsuit. In addition, it did not make sense to have someone who did not have an interest in the property or value of the water supply hold the easement.

The next step, stated by A. Pratt, would be to take it back to the Assistant Attorney General to make sure it was an appropriate approach. The City of Portsmouth wanted to know if Greenland had any interest in holding the easement and approved the deed language. R. Winsor asked if Portsmouth would be amenable to amending the language in the deed to absolve Greenland of any liability with regard to the property for enforcement, remediation, or maintenance. A. Pratt responded it would have to be reviewed by the Legal Department. R. Winsor stated he was not opposed to holding the easement; his angst was from the lack of clear definition that Greenland does not hold any liability for anything on the property. Greenland does not benefit; the Town would be doing it as a favor to Portsmouth.

J. Connelly: Referring to Question 10 from TA Scruton, asked if Greenland would be able to review the stewardship plan and have input. A. Pratt responded that could be done. He will ask their Legal Department if that should be an attachment to the deed. There was a discussion about posting the property (Question 12) or opening it up to trails. The City of Portsmouth plans to post the property.

4. Other Old Business

TA Scruton has not been contacted by Sewall Enterprises to start roadside mowing; he will reach out to them.

VI. NEW BUSINESS AND ADMINISTRATIVE

1. Snow Removal Contract

The current snow removal with Jim Jones expired in May 2020; there is a renewal option. J. Jones has submitted a letter to TA Scruton offering to extend the contract for an additional year; his rate would remain the same. TA Scruton noted that another contractor has contacted the Town regarding an RFP for snow removal.

Responding to a question from J. Rolston, TA Scruton stated that J. Jones has been answering his messages. J. Jones has not submitted his final snow removal invoice. TA Scruton has been reaching out to him for several months for the final invoices. J. Jones has also been asked to remove his trucks; per the contract they should have been removed by now. TA Scruton noted that J. Jones has done an excellent job plowing. J. Rolston did not understand why invoices were still not received and it was almost July. TA Scruton stated when invoices are late it was difficult to reconcile to the storms. TA Scruton continued that invoices needed to be timely due from a budget standpoint. It impacts the Board's ability to know what funds are available.

J. Connelly: Agreed with J. Rolston, adding it was unacceptable; invoices needed to be provided in a timely fashion. He had no issue doing an RFP; the Board would not be doing its due diligence to not get three quotes. R. Winsor: Suggested including in the proposal that invoices must be submitted within 10 to 15 days after an event; it should be a contractual obligation. TA Scruton indicated the contract may have had a clause for timely invoices. Enforcing the timeliness of submitting invoices could become an issue. R. Winsor: Suggested including a clause in the RFP and contract that after “x” number of days, 1% will be deducted each day the invoice is late.

J. Connelly: Does the Town monitor/verify the plow dates? TA Scruton responded that it is not currently done but could be the responsibility of a Road Agent. TA Scruton added that some towns do contracts on a “per inch” of snow basis according to a government tracking system. The difficulty would be a rain and ice storm requiring the contractor to be out. J. Connelly questioned the feasibility of reviewing last year’s bills for a comparison per inch. R. Winsor: The Town should be able to keep a calendar of storms. J. Rolston: It could be done going forward; it would not be easy to recreate. J. Rolston noted that when RFP’s were sent out in the past, J. Jones was the only contractor with enough equipment to bid.

MOTION: J. Connelly moved to put the snow removal contract out to RFP on a per plow and per inch basis.

Discussion: R. Winsor asked for clarification if contractors would submit two separate bids. J. Connelly thought they could submit on the same bid. TA Scruton suggested a draft RFP for Board input and approval before it was sent out. J. Rolston clarified it would be per storm anytime the contractor was called out.

AMENDED MOTION: J. Connelly moved to prepare a draft snow removal contract RFP based on per storm. Second – R. Winsor; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

R. Winsor requested copies of previous snow removal contracts for comparison.

2. Code Enforcement Issue: 454 Portsmouth Avenue

J. Shephard, Building Inspector/Code Enforcement Officer, joined the meeting. He has received complaints from Eversource about electricity usage at 454 Portsmouth Avenue. He found that a previous assessor’s review noted a possible ADU apartment at that address. There are three mailboxes and pictures showing framing of garage doors. There is also an abundance of cars in the driveway. J. Shephard wrote the property owner to clarify it was not an apartment. No permits were given for renovating the detached garage. He read his letter into the record (copy on file). It appears there is a separate ADU on the premises, detached and illegal.

J. Shephard has spoken to the attorney and informed him it would be a Board decision on how to proceed. Responding to a question from R. Winsor, J. Shephard read the attorney’s statement into the record (copy on file). His interpretation: the home was purchased as a two family and made it a permanent three family. He did not agree with the attorney and was trying to get a third apartment; a detached ADU is not allowed by the Town’s ordinance and he does not live on the property. There are two apartments in the main unit and this is a separate garage unit.

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R. Winsor suggested that if the doors have been boarded and converted to walls, it would be in the best interest of the homeowner to provide an official permit application to the Building Inspector. If the permit was granted, the work should be inspected. J. Shephard stated the gray area was that it was an illegal three family. R. Winsor: The homeowner would have to seek relief through the Zoning Board because it was not an allowed use. The homeowner will need to be sent a letter with a stated timeline to come into compliance; the Town Attorney should be contacted for help. If an ADU is not established at this time, a permit is still required and an inspection of the work done is necessary. R. Hussey questioned if the septic system was adequate and separate electric meter required.

Chair Smith stated the homeowner should be given thirty days to submit the required paperwork. It will be discussed further if paperwork is not filed within 30 days. He would also like to see a septic plan and have more information on the electric. R. Winsor asked J. Shephard to copy the Board and Town Attorney when the letter was sent to the homeowner.

3. Propane Agreement

TA Scruton was contacted by a fuel broker with a propane rate of \$1.37 per gallon from October 01, 2020 to May 31, 2021. TA Scruton contacted the Town's current propane provider, Eastern Propane, who quoted a rate of \$1.34 per gallon from September 01, 2020 through May 31, 2021. TA Scruton recommended staying with the current provider and locking in at \$1.34 per gallon; they own the tanks that are in place. TA Scruton did not contact Tony Raizes after speaking with Eastern; his proposal was unsolicited. TA Scruton used that proposal as leverage with Eastern Propane to request a better rate.

J. Connelly suggested buying the tank. There are multiple tanks involved. R. Hussey noted tanks must be certified and in date to be filled. The Town does not have an employee who is gas certified; it may cost more than it is worth to purchase the tank. J. Rolston suggested remaining with Eastern Propane until the next heating season.

MOTION: J. Rolston moved to remain with Eastern Propane as the Town's propane provider through May 31, 2021; pricing will be fixed at \$1.34 per gallon for the period of September 01, 2020 through May 31, 2021. Second – R. Hussey; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – abstain, S. Smith - yes. Four in favor, one abstain (R. Winsor); MOTION CARRIED

4. Advertising – Part-Time Help: Transfer Station

A part-time employee at the Transfer Station has resigned. TA Scruton would like to hire another part-time person to fill staffing needs at the Transfer Station. The current rate is \$18.74 per hour. J. Rolston asked if starting pay should be a little lower than someone who has worked there several years. There was a discussion on the rate of pay and increasing the pay when certified.

Employees who were not certified when COVID became an issue, but were signed up to take the class, are being allowed to operate at the Transfer Station by the State. Employees renewing have done the training and renewals were submitted. Licenses should have been mailed directly to the employees; TA Scruton will check on that. Training was free through Primex; the State certification class for new operators was \$50 and paid for through the Town.

MOTION: J. Rolston moved to authorize the Town Administrator to advertise for a part-time employee at the Transfer Station. Rate of pay will be \$15.50 per hour. Second – R. Hussey; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

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5. Approval of Bond Disbursement: Van Etten Drive

The Conservation Commission found some wire that was abandoned behind Van Etten Drive. TA Scruton contacted Comcast and Consolidated Communications; they removed their wire left behind at the pole. Wire coming out of the ground was located at a different location near Van Etten Drive on conservation land. TA Scruton contacted Maldini Electric; they found it was not active. It was not clear whose telecommunication wire it was and they were able to cut it below grade. It was noted that the developer had remaining bond money through the Planning Board when the development was approved. TA Scruton recommended the invoices from Maldini Electric be paid with those funds. The balance on that account is \$3,005.56; the invoices total \$275.

MOTION: R. Winsor moved to approve payment of the Maldini Electric invoices in the amount of \$275 from the Van Etten Drive bond. Second – J. Rolston; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

6. Exemptions

The assessor recommended granting one exemption and two abatements and denying one abatement.

MOTION: J. Rolston moved to grant the solar exemption for 54 Sunnyside Drive in the amount of \$22,500; grant the abatement for 8 Boxwood Path in the amount \$221.40; grant the abatement in the amount of \$362.44 for 8 Granite Post Lane and deny the abatement for 39 Niblick Lane. Second – R. Hussey; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

7. Intent to Cut: 7 Sofia Way

MOTION: R. Winsor moved to approve the Intent to Cut Wood or Timber at 7 Sofia Way and authorize the Town Administrator to sign. Second – J. Rolston; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

The Assessor noted that an Intent to Cut must be approved within 14 days of filing with the Town. He suggested the Town Administrator and Assessor be authorized to sign those type of documents so they do not have to go before the Board. This is specifically related to the Intent to Cut forms. R. Winsor clarified that Intent to Cut forms are filed with DRA for taxable money from the timber and activity is taking place. TA Scruton will include timber cuts in the FYI section of the Board informational packet.

MOTION: J. Rolston moved to authorize the Town Administrator and Assessor to sign these types of documents. Second – R. Hussey; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

8. Other New Business

Transfer Station Holiday Hours: There was a discussion about the Transfer Station being open on Saturday, July 04, 2020. TA Scruton noted it would holiday pay at time and a half. R. Winsor stated he was inclined to close the Transfer Station; there may not be much activity.

MOTION: R. Winsor moved to close the Transfer Station on Saturday, July 04, 2020.

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Discussion: J. Rolston noted that the Transfer Station employees have been good the last couple of months. If they wanted to stay open, it would be a little bonus for them. R. Hussey suggested offering them Friday, July 03, 2020 as an option to work. Liz Cummings, Finance Director, joined the meeting. She noted it would be double time and a half to work on the holiday. TA Scruton will poll the employees to make sure they are available on Friday, July 03, 2020 and want to work that day.

AMENDED MOTION: R. Winsor moved to open the dump on Friday, July 03, 2020 rather than Saturday, July 04, 2020, if staffing allows. The Transfer Station will be closed for the weekend if staffing is not available and reopen on Wednesday, July 08, 2020. Second – J. Connelly; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED

VII. ACCOUNTS PAYABLE – THURSDAY, JUNE 25, 2020

Note: Due to COVID-19 and meetings held virtually by Zoom, manifests are signed prior to the meeting.

1. Payroll Manifest 13: \$63,492.27
2. General Fund Manifest 13: \$143,320.87
3. Capital Fund – Library Manifest 04: \$4,549.87

VIII. ADJOURNMENT

MOTION: R. Winsor moved to adjourn at 9:05 p.m. Second – J. Rolston; roll call vote: J. Connelly - yes, R. Hussey - yes, J. Rolston - yes, R. Winsor – yes, S. Smith - yes. All in favor; MOTION CARRIED
all in favor. MOTION CARRIED

NEXT MEETING

Monday, July 06, 2020 – Time and Location to be Announced

Submitted By – Charlotte Hussey, Administrative Assistant

Approved: