



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Tuesday, February 16, 2021 – 6:30 p.m. – Virtual via Zoon

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

Staff Present: Matthew Scruton - Town Administrator

Also Present: Chief Laurent (Remote) – Police Department; Julie LaBranche (Remote) – Rockingham Planning Commission; Eric Weinrieb and Cory Belden (Remote) – Altus Engineering; Liz Cummings (Remote) – Finance Director; Marcia McLaughlin (Remote) – Chairman, Weeks Library Trustees

Chair Smith opened the Board of Selectmen meeting at 6:30 p.m. It was announced a quorum was present and the meeting was being held virtually through Zoom and recorded by video. 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 was taken by roll call: J. Connelly – present, R. Hussey – present, J. Rolston - present, R. Winsor – present, S. Smith - present.

I. APPOINTMENTS

1. MS4 Permit Year 3 Requirements – Julie LaBranche, Rockingham Planning Commission

Julie LaBranche, Rockingham Planning Commission, joined the meeting via Zoom. J. LaBranche reviewed the two-part proposal prepared for the MS4 Permit Year 3 requirements. Table One indicated the items that the RPC can perform and complete; Table Two are items that an engineering or environmental firm will need to complete. J. LaBranche did not estimate those costs, suggesting the Town may want to go out to bid on the engineering/environmental costs. The RPC cost includes overseeing the Town's MS4 permit for the year, annual update of the stormwater management plan, preparing the updated documents, helping to coordinate the Town's outreach programs, etc. Also due in Year 3 is a review of the stormwater management plan in the Subdivision and Site Plan Review Regulations. Any modifications must be adopted by June 30, 2021.

J. LaBranche stated there is also a checklist and inspection form for each Town facility that must be completed for compliance. Completed checklists must be submitted with the annual report which is due September 30, 2021. J. LaBranche will be assisting TA Scruton with the annual report that is due September 30, 2021.

Responding to a question from R. Winsor, J. LaBranche stated the MS4 Permit will continue into the foreseeable future. The current permit is for five years and will expire in 2023. The EPA will probably initiate an update to that permit soon if changes or updates are made. It is a perpetual permit required under Phase 2, Non-Point Source Pollution Rules and Laws under the federal Clean Water Act. J. LaBranche continued that after five years, many of the requirements will become less burdensome.

DRAFT: SUBJECT TO CHANGE

The consultant's list includes developing a sampling program. When developing a program, the Town should be strategic about locating the impairments. Starting higher up in the watershed and progressively making the way down, the largest pollutant lows can be pinpointed as well as the waterbody; then a reconnaissance sampling can be done to know where the pollutants originate. Remediation and more strategic sampling can be done.

J. LaBranche reiterated that many of the activities that the Town has been working on during years one through three and through years four and five will probably not be required moving forward. Changes in protocol may need to be done in the stormwater management program. It will be more maintenance if the EPA implements additional standards.

MOTION: J. Rolston moved to accept the Draft Summary of the EPA MS4 Permit Year 3 Requirements as submitted by the Rockingham Planning Commission in the amount of \$5,400. 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

J. LaBranche and Eric Weinrieb, Altus Engineering, briefly discussed Table Two.

2. Bayside Road – Update from Altus Engineering

Eric Weinrieb and Cory Belden, Altus Engineering, joined the meeting via Zoom. E. Weinrieb gave a brief background on consulting with TA Scruton for the Bayside Road project including exploring possible grants. After reviewing the project during a Zoom meeting with DES, E. Weinrieb found the limitations of the low-interest State loan were not what the Town would want to pursue for funding.

Some of the culverts were removed from the project because they were State culverts. E. Weinrieb discovered a DOT pavement overlay line in one location as well as a signpost in another. They confirmed the jurisdiction location with DOT. A new sign was posted by DOT and they are responsible for the Shaw Brook culvert.

Altus Engineering did some preliminary modeling on the Meloon's Creek and Foss Brook culverts. They also identified a culvert in the corridor (a small diameter CMP, .2 miles west of Foss Brook). They modeled the culverts and the size of the watersheds. They are undersized by today's criteria; Meloon has a history of flooding. E. Weinrieb recommended, based on their findings, that the culverts be replaced.

Altus Engineering also looked at roadway conditions. Bayside Road has never been a built or constructed roadway. The subgrade is suspect; any overlay will crack and return to its pre-existing condition in a short amount of time. There are probably 6 inches to 7 inches of pavement in places; there is no structural integrity underneath.

Mill and Overlay: 2-inch mill replaced with 2 inches of pavement. It may last a little longer; E. Weinrieb stated the 'bang for your buck' is not there.

Reclaim: Altus has had good luck with reclaim and used West Road in Portsmouth as an example; this was the process recommended by Altus.

C. Belden stated they had looked at many different options, including dig-out areas (removing sections of pavement that were failing). Due to the number of patches they had on the road, they felt the best

DRAFT: SUBJECT TO CHANGE

option was to have the entire roadway reclaimed, creating a stable base throughout the whole roadway pavement section. Overlay options: considered to be putting a band-aid on a road and problems would recur within a short time. It was suggested that Altus could phase the project so part of the roadway is done right with the reclaim; it could be finished in one to two years.

E. Weinrieb stated with the culverts that need to be replaced in the streams, DES and Fish and Game require either an open-bottom or submerged bottom to allow the migration of wildlife. The culverts would have to be completely dug out and a box culvert would be dropped in and submerged. The culverts are not on dead end isolated roads; the construction cycle can be shortened.

C. Belden stated that DES has classified Meloon Creek and Foss Brook as Tier 2 crossings. Once the DES permit is in process, they will be required to convey the 100-year storm event at those crossings. It was noted that rainfall significantly increased over the last 10 years. A 15% increase is required for the seacoast area on top of the standard rainfall data. Looking at the culverts and crossings, there is over a 400-acre watershed. There is a significant amount of flow and they are undersized for what the capacity requires.

R. Winsor questioned if it was feasible to have the project done within a year and reduce the proposed budget by around \$62,000. E. Weinrieb responded they tried to be conservative, adding if they removed surveying, engineering, and permitting, it would be close; he was not recommending that. E. Weinrieb suggested doing the binder one year and wearing the following year. He continued they could do up to the railroad crossing for the project, then do the Meloon culvert and not do the road on the other side. The road from the railroad crossing west/north is not in bad condition, but more on the culvert crossing. R. Winsor asked if that section would be a full reclaim. E. Weinrieb stated they were planning on a full reclaim but they could look at that more closely; some of it is in fill and there is not a bad drainage issue. He added it was probably the best section of road. It was suggested that section could be milled.

S. Smith noted that if the \$200,000 road improvement warrant article is voted down, this could be a null and void project. E. Weinrieb stated that the wetland permits for the culverts are good for five years and can be renewed for an additional five years.

J. Connelly suggested with the savings and the equipment being in that area, the Board may want to consider taking care of Meloon Road. R. Winsor responded that based on his figures, and not including the warrant article, there may not be enough funding available. S. Smith, agreed, adding he did not want to leave the bank dry in case funds were needed in an emergency.

R. Hussey suggested doing from the railroad tracks to the maintenance line and the three culverts. R. Winsor recommended having Altus continue to evaluate the project and collect bids.

MOTION: R. Winsor moved to continue the Town's engagement with Altus Engineering to review the possibility of mill and overlay on the western end of Bayside Road as well as seeking formal bids. Further, to include the engineering and permitting of both culverts. 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

3. Civil Engineering Proposal – Altus Engineering

E. Weinrieb reviewed the Civil Engineering Proposal with the Board. There is a good baseline with the Underwood Pavement Assessment that was done in 2016. It does not deal with day-to-day, year-to-year, or month-to-month type issues. Initially, Altus will look at all the roads and bridges on culverts and do a quick assessment, listing the conditions. The Board will be given a priority list for immediate repairs as well as planning for five years. Additional work will be done on an hourly basis.

There was a discussion about preventative maintenance. E. Weinrieb stated there were many different ways with crack sealing and looking at techniques to make sure the water conveys off the road. Responding to R. Winsor, E. Weinrieb stated their initial report will identify roads that may require preventative maintenance. Additional work will be quoted on a case-by-case basis.

J. Connelly suggested waiting until the Board knew the cost of the Bayside Road repairs to make sure funds were available. R. Winsor noted this proposal was an \$8,000 investment for a report on road conditions and preventative maintenance.

MOTION: R. Winsor moved to authorize the \$8,000 initial inspection and recommendations from Altus Engineering as proposed. 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

4. Police Department Computer Server - Chief Laurent

Chief Laurent updated the Board on the Police Department server. She has contacted IMC, the software company. They quoted approximately \$14,000 per module to transfer data to Rockingham; a minimum of three modules was required. A new server would still be needed. Chief Laurent also contacted one of the Town's previous IT Specialists and had him review the quote to replace the server; he agreed with the quote. Chief requested authorization to spend up to \$5,000 from the Police Equipment CRF as discussed at the last meeting.

MOTION: J. Connelly moved to approve the transfer of \$5,000 from the Police Equipment CRF to the Police Department budget for the purchase of a new server. 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

II. PUBLIC COMMENTS

Laura Byergo, 16 Caswell Drive and Conservation Chairman: An ARM (Aquatic Resource Mitigation) Grant is available through DES. There is approximately \$2 million earmarked for the seacoast area this year. One of the projects that can be submitted is replacing culverts. According to DES data, the culvert on Bayside Road that needs replacement is Shaw Brook, which would be a DOT project. L. Byergo suggested contacting the ARM Grant about the culverts for Meloon Creek and Foss Brook. According to the woman L. Byergo has spoken to, projects are topped at \$250,000. The deadline for the preliminary proposals is May 29, 2021; a full application must be submitted by August 31, 2021.

S. Smith thanked L. Byergo for the information. Ben Dreyer, Underwood Engineers, had forwarded similar information to TA Scruton that he will research and send to E. Weinrieb. L. Byergo stated the request for pre-proposals was sent out February 01, 2021. The pre-proposal is a simple two-page application. Applicants will be notified the week of June 15, 2021 for full application submittal no later

than August 31, 2021. Applications are reviewed September 24, 2021 and site visits are done. Grants will be awarded during the last quarter of 2021. R. Winsor noted that the Board hoped to be done with the project before application reviews are started.

TA Scruton stated that Underwood Engineers had looked at the grant in September 2019 and determined it would not meet the Town's timeline. J. Connelly asked if Representative Malloy would be able to fast track the grant application. Representative Malloy will look into the process.

III. APPROVAL OF MINUTES

1. Monday, February 01, 2021

MOTION: J. Rolston moved to approve the minutes of Monday, February 01, 2021. 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. OLD BUSINESS

1. PDA Seat

S. Smith and TA Scruton recently met with Martha Roy, Newington Town Administrator, and Ted Connors, Board of Selectmen Chairman, regarding the PDA seat and how both towns should proceed with the shared half. They recommended waiting until after Newington has their Town Meeting on Saturday, March 13th.

TA Scruton prepared a draft application form for Board review before submitting to Newington. There will be a shared application form to be used by both towns. Newington and Greenland will receive a copy of any applications submitted; the seat will be filled by mutual agreement. The application will not be released until after the Newington Town Meeting. TA Scruton and S. Smith will be attending a Newington Board of Selectmen meeting and report back to the Greenland Board of Selectmen.

R. Winsor suggested adding a 'quick bio' and 'any other information that may be pertinent' to the application. For clarity, TA Scruton had included that the appointee must follow the PDA by-laws and terms and could be asked to step down from the PDA at any time for any reason upon the written request of both Boards.

Representative Malloy was instrumental in securing a joint seat on the PDA for Greenland and Newington. Representative Malloy noted the seat was originally for Greenland and the shared seat with Newington was a compromise. Legislators felt it was important for the towns to mutually decide how to handle the seat. Representative Malloy will look at the by-laws for the term limit.

2. Other Old Business

300th Anniversary: J. Rolston updated the Board on the 300th Anniversary, stating any plans made over the last several years had been 'blown out of the water'. It was decided at a recent meeting to hold a Greenland Old Home Week, September 12 through 18, 2021. They will try to hold various events during that week. September 12, 2021 has been tentatively set for a wine tasting/art show at the Portsmouth Country Club.

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If the warrant article for \$10,000 should pass, it is under the direction of the Board of Selectmen. There were originally three Selectmen on the Board who were members of the 300th Anniversary Committee. After the elections on March 9th, there will be none. J. Rolston asked if any members of the Board would like to volunteer to serve on the committee; S. Smith volunteered.

V. NEW BUSINESS AND ADMINISTRATIVE

1. Other New Business

There was no 'Other New Business' to discuss.

VI. ACCOUNTS PAYABLE – THURSDAY, FEBRUARY 18, 2021

1. Payroll Manifest 21.04

MOTION: R. Hussey moved to approve the attached Payroll Manifest, pay date February 18, 2021, period of February 01, 2021 through and including February 14, 2021. Gross amount, excluding payroll liabilities: \$64,261.39. 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

2. General Fund Manifest 21.04

MOTION: J. Connelly moved to approve the attached General Fund Manifest of Unpaid Bills Detail as of February 18, 2021 in the amount of \$326,370.50. This manifest includes a Greenland School District payment in the amount of \$200,000. 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

3. Capital Fund – Library Manifest No. 21.02

MOTION: J. Connelly moved to approve the attached manifest of Unpaid Bills Detail as of February 18, 2021, in the amount of \$329,079.48. Funds in the amount of \$137,623.74 are to come from the Bond Proceeds, and \$191,455.74 are to come from the Capital Reserve Fund. The total for the Bond Fund is currently \$2,900,000. 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

J. Rolston questioned if the Library Trustees had signed off on funds from the Capital Reserve Fund. The Finance Director joined the meeting via Zoom. TA Scruton informed the Board that the Library Trustees requested the Trustees of the Trust Funds withdraw the balance of the CRF. The Trustees of the Trust Funds met and wrote the check, which was deposited into the fund for the expansion project. The bond has been used and there is no other option but to use the CRF or donated funds. The Finance Director explained there are no bond funds available; \$2.9 million has been spent. The balance had to come from the CRF. There was \$25,000 deposited into the General Fund in error; that will be deposited into the expansion project account within the next few days. The Finance Director stated it was her belief that all the money that was authorized under the warrant article went into the account and has been spent or is available to be spent. The Library Trustees agreed with the Town's numbers prior to Deliberative Session; they should know how much is left.

Marcia McLaughlin, Nantucket Place and Library Trustees Chairman: The Library Trustees requested the transfer be made after speaking with the Finance Director. Funds from the CRF plus \$29,125 in donations were transferred into the fund the Town holds. They were fully aware and it was what they expected to happen.

DRAFT: SUBJECT TO CHANGE

R. Winsor clarified that a portion of the funds were coming from the remainder of the bond and part of the funds to pay the invoices were coming from the proceeds from the CRF. He asked if the Trustees were aware of that and if they agreed. M. McLaughlin responded 'yes, they voted on it several meetings ago'. She added that it was in their minutes.

VII. ADJOURNMENT

MOTION: R. Winsor moved to adjourn at 7:47 p.m. 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

NEXT MEETING

Tuesday, February 16, 2021 – 6:30 p.m., Town Hall Conference Room & Zoom

Submitted By – Charlotte Hussey, Administrative Assistant

Approved: