



BOARD OF SELECTMEN
Town of Greenland • Greenland, NH 03840
11 Town Square • PO Box 100
Phone: 603.431.7111 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE BOARD OF SELECTMEN

Monday, November 08, 2021 – 6:30 p.m. – Weeks Public Library

Members Present: Randy Bunnell, Jamie Connelly, Rick Hussey (by phone), Steve Smith, Richard Winsor

Staff Present: Matthew Scruton, Town Administrator

Also Present: Ralph Cresta, Fire Chief; Marcia McLaughlin, Library Trustees Chairman; Members of Planning Board, Conservation Commission, Budget Committee; NH State Senator Tom Sherman; NH State Representative Dennis Malloy; Jeremy Lougee, Southeast Land Trust

Chair Smith opened the Board of Selectmen meeting at 6:30 p.m. A roll call was taken and it was announced a quorum was present and the meeting was being live-streamed and recorded.

I. PUBLIC INPUT SESSION

1. Jeremy Lougee, Southeast Land Trust and Great Bay Farm

The public is encouraged to attend this meeting to provide feedback and input to the Board of Selectmen regarding the proposed easement for Great Bay Farm.

S. Smith welcomed the public and thanked them for attending the meeting. S. Smith recused himself for this portion of the meeting and deferred to J. Connelly.

J. Connelly thanked the public for attending and explained that discussions had started to preserve 154 acres on Great Bay Farm with a conservation easement that would prevent future development and introduced Jeremy Lougee, Southeast Land Trust and representing Great Bay Farm. J. Lougee stated the farm has been in the family since 1899 and is in its sixth generation.

J. Lougee noted that the goal of SELT was to protect and sustain the significant lands in our communities for clean water, outdoor recreation, fresh food, wildlife, and healthy forests. Protecting farms in the local community is very important as well as prime farmland soils around Great Bay, scenic views and rural character, and agriculture. SELT has been working with the Conservation Commission for community access to the property. The property is also important as a wildlife habitat. NH Fish & Game has considered it one of the most important wildlife habitat areas in the State. The farm sits on many well-head protection areas.

The Master Plan update in 2021 identifies this part of Town as having sensitive ecological areas and thoughtful considerations should be undertaken to protect the region. J. Lougee noted that SELT is not anti-development or anti-housing. J. Lougee briefly reviewed the Planning Board Consultant's analysis and options for the Smith Farm (copy on file).

DRAFT: SUBJECT TO CHANGE

J. Lougee reviewed the project cost and budget (copy on file). He noted that a housing development would cost the Town, on average, \$564,000 per year. To conserve the property, the total project cost will be approximately \$5 million. SELT is proposing to utilize five other funding sources, with essentially a 10:1 leverage with Town funding into the project (more money is leveraged from outside the community). Southeast Land Trust has applied to LCHIP (\$400,000) and should know by early December if that was awarded. They have applied to the National Resources Conservation Services, a federal program through the US Department of Agriculture; they applied for up to \$2.5 million. They have applied to the Drinking Water Trust Fund (\$300,000) and should hear by the end of November if they will be granted those funds. There is also a smaller fund, the Great Bay Resource Protection Partnership (\$15,000 to \$20,000).

J. Connelly opened the meeting to public comments. Kevin Lucey, 62 Meadow Lane: Questioned the timeline of the grants. J. Lougee explained this was the year to raise funds. They started applying for funds earlier in the year; funding from the Town would be decided at Town Meeting. They're hoping to close in early 2023.

Mark Fleming, 94 Post Road: Was there money in a capital reserve fund? J. Connelly responded that the Conservation Commission voted to give \$200,000 from the Conservation Land CRF to this project. TA Scruton further explained the Board of Selectmen were the actual agents to expend, but only after a warrant article requesting those funds is passed at Town Meeting. There is approximately \$262,000 in that fund. The Conservation Commission recommended to the Board of Selectmen to draft a warrant article for \$200,000 from that Conservation Land CRF. R. Winsor asked J. Lougee to explain the SELT budget; it was not a \$500,000 investment from the Town. The last figure he saw was \$1.7 million and was in excess of the \$200,000. J. Lougee clarified that \$1.7 million needs to be raised. This meeting was to see if there was enough interest to support the project. J. Lougee reviewed the project costs (copy on file). The gap is \$1.7 million; the family has indicated they may be willing to accept less. They have looked at two different scenarios: one at \$500,000 and one at \$1 million.

Tim Collins, 100 Winnicut Road: Did not understand why the number presented by J. Lougee was so low. J. Lougee clarified that the Planning Board Consultant prepared the report.

John McDevitt, 291 Bayside Road and Planning Board: As a member of the Planning Board, he clarified that there was no indication of the other option for age restricted housing and that should have been included. J. Lougee explained that the most likely scenario with developers would be single-family housing. J. McDevitt noted that the last two large developments in Town were age restricted housing. He continued that if they were going to inform people, they needed to give them the entire package. Age restricted housing would be net profit for the Town.

Chris Keenan, 28 Sanderson Road: Questioned if Newton Road to Great Bay was under a conservation easement and clarified that the proposed easement would take care of the upland area of the property; J. Lougee agreed.

Paul Sanderson, 24 Osprey Cove: Questioned if the City of Portsmouth had been consulted regarding drinking water source protection. They operate the municipal water system not Greenland. He also questioned the impact of the property with regard to the runway at Pease. Was this in an airport exclusion zone that may prevent any development of housing? Has the PDA been contacted for potential funding towards this project rather than the Town? J. Lougee responded that they have received a letter of support from the City of Portsmouth Water Department. He did not get the

DRAFT: SUBJECT TO CHANGE

impression that it was a priority for the City of Portsmouth to protect land in an adjoining town. Funding from the Drinking Water Trust Fund is determined by a commission.

Barbara Fleming, 94 Post Road: Questioned the impact on the water supply if the property was developed. J. Lougee stated that generally speaking, the less development on a well-head protection area, the better. The goal with public water supplies is to keep them clean before they are damaged by development. B. Fleming stated that Portsmouth should have a vested interest in protecting the water supply.

NH State Senator Tom Sherman and Vice Chair of the Drinking Water/Groundwater Trust Fund addressed the group. He is also a member of the Seacoast Drinking Water Commission and Chair of the Sub-Committee for the Groundwater Protection Grants. A grant for the project in the amount of \$300,000 was approved last week. They have discussed the impact of single-family homes on the property and protection of the area. Senator Sherman also sits on the LCHIP Board. There is the possibility the maximum amount could be granted, which would be another \$100,000. The Drinking Water/Groundwater Fund has been maxed out. Senator Sherman continued that this project is beneficial to the Town in terms of preserving property. Senator Sherman is going to look into extending the duration of the loan.

R. Winsor questioned how much of the funding that has been aligned is in the form of a loan vs. a grant and if the Town was responsible for paying back any of the funding that has been acquired. J. Lougee responded none of the sources he mentioned were loans; they were grants.

Dave Moore, 5 Doe Hill Lane and Planning Board: Asked the total amount of money and the impact on taxes. TA Scruton reviewed the scenarios, depending on how the Town would like to finance the easement. The Town would need to go through the bonding process with the NH Municipal Bond Bank. The interest rate for a 10-year municipal bond is approximately 2%; the 20-year rate is approximately 3%. The payback on a \$1 million bond at 2% (10 years) would be \$1,125,000; the first-year payment would be \$144,000 or a tax impact of \$0.16 per thousand. The yearly amounts change as the principal and interest payments change. A 20-year bond at 3% on \$1 million: the total payment will be \$1,325,000; the first-year payment would be \$104,250 or a tax impact of \$0.12 per thousand. Those estimated figures are based on a \$1 million contribution from the Town in addition to the \$200,000 from the Conservation Land CRF (this would have no impact on the tax rate; funds are available in that account).

J. McDevitt asked what other bonds the Town had. In addition, there is the CIP submitted by the Planning Board. He also questioned why the family was seeking this contribution. Alan Smith stated that the opportunity was made available to them. They have done other conservation easements with Fish & Game and The Nature Conservancy. This was another way to save the land. There is no access to Great Bay on this property. J. McDevitt also commented that M. Fougere's analysis showed a positive tax gain on the property if it were developed as elderly housing.

Laura Byergo, 16 Caswell Drive and Conservation Commission Chair: Discussed the Conservation Commission support of the easement and proposed use. J. McDevitt asked if the Conservation Commission had identified the large open space areas in Town and prioritized which ones are the most critical to preserve, and if they have, where does the Smith Farm fall on that list. L. Byergo responded New Hampshire Fish & Game, UNH, DES, The Nature Conservancy, and the Southeast Land Trust have done a lot of work over the years through the Wildlife Action Plan to identify the most valuable agricultural lands and wildlife properties in the State. NH Granite did a recent Connect the Coast report

DRAFT: SUBJECT TO CHANGE

and developed a regional map indicating the wildlife corridors. L. Byergo stated the Conservation Commission was strongly in favor of supporting this conservation easement.

J. Lougee explained the conservation easement would be on 154 acres. The allowances are for agriculture and forestry. There are restrictions on best management practices for agriculture so it does not get too close to sensitive water resources. The Smith family will still own the land. The easement prevents the land from being developed commercially or residentially; the land can only be used for agricultural purposes. The easement will be in effect for perpetuity. SELT is planning on the Town and State of New Hampshire holding an executory interest. If SELT were to go out of business, the Attorney General's office would decide if the Town or State took over the primary interest. J. Lougee explained that executory interest is a 'back-up interest' in the conservation easement. The executory interest holder would be responsible for maintaining the easement and its regulations.

P. Sanderson suggested that the PDA be contacted regarding the use of land around an airport. They may have the ability to access funds through the FAA. J. Lougee will follow up with the PDA; S. Smith will ask Susan Parker, Greenland and Newington representative to the PDA, to also follow up.

SELT received word there may be opportunities within the infrastructure bill that was recently passed. J. Lougee noted it was too early to tell if it would help this project; the bill just passed. Timeline: SELT hopes to close on the project in early 2023. Since they have applied to several State and federal programs, the easement needs to be considered at the 2022 Town Meeting.

R. Winsor stated the Selectmen were unaware of other warrant articles that may be coming forward other than what normally is submitted: continued funding for long-term planning of the fire station, which looms large in the future; planning for what happens with the Town Hall, the building is getting a little well-used. Those projects are definitely on the horizon as well as continued road improvement. R. Winsor also noted that the Library and School are in year two of a bond. TA Scruton stated that the Town has two bonds: a road bond and the Library bond. The School currently has two bonds. R. Winsor clarified that the Town is not actively seeking any new bonds. Warrant articles proposing new bonds could happen, but the Board was unaware of any.

It was stated by A. Smith that there would never be development on the 154 acres. That land will stay what it is; it will be the farm. When asked how much the Smith family was willing to lower the price tag to the Town, A. Smith responded that still had to be worked out with SELT. They may be able to come back to the Town within the next month when funding sources were better known.

R. Winsor asked J. Lougee when an amount would be known. He stated the Smith Farm has been a great asset to the community and funding that would be great. The residents needed something more concrete. TA Scruton noted that the Smith family was looking for a commitment from the Town and what they would be willing to put on a warrant article. At Deliberative Session, the amount could be modified and the funding source changed. J. Lougee stated the appraisal is underway; they were hoping for the appraisal in December. That appraisal will undergo federal review.

R. Winsor stated he did not feel comfortable without a number. Funding was outstanding and there were a lot of numbers out there. R. Winsor was in support of the easement and thought it was a great idea. R. Bunnell stated that the Board was looking for feedback from the public and if there was support. R. Winsor felt there was support for the project but residents wanted to know the number.

DRAFT: SUBJECT TO CHANGE

L. Byergo asked for clarification: the Conservation Land CRF funds would be one warrant article and any additional funds would be a separate warrant article, or would it be written as one. The response was that it would be two warrant articles.

R. Winsor felt it was too early to draft a warrant article without a number. As stewards to the Town, it was the Board's responsibility to have the correct information. There was still time to make the deadline and make a commitment. The PDA should be contacted as a possible funding source. There may be other funding sources available as well.

There were three emails of support received; they will be part of the file. J. Connelly asked that any future questions be emailed to the Town; it is a big decision. R. Bunnell thanked people for coming to the meeting and he appreciated the feedback. It was an important decision, not only for the Board of Selectmen, but for the future of Greenland.

J. Lougee will return to the Board of Selectmen when more information is available.

II. PUBLIC COMMENTS

There were no public comments.

III. APPROVAL OF MINUTES

1. Monday, October 25, 2021

MOTION: R. Bunnell moved to approve the minutes of Monday, October 25, 2021. Second – R. Winsor; all in favor. MOTION CARRIED

IV. OLD BUSINESS

1. Coakley Update

S. Smith introduced NH State Senator Tom Sherman and NH State Representative Dennis Malloy. Senator Sherman updated the Board that the bedrock study will be finalized and ready for publication in early 2022. He has strongly encouraged the chairman of the Seacoast Cancer Cluster Commission to reconvene the Commission. Senator Sherman and Representative Malloy are members of that Commission and will be kept up to date on the latest developments. DES and DHHS are typically at those meetings.

The Seacoast Cancer Cluster Commission has held the Coakley Landfill Group accountable in the past. The Commission is a statutory commission. The CLG has been present in the past, especially due to the concerns of the Greenland Board of Selectmen about following the legislation for clean surface water (they have only done one trial that Senator Sherman is aware of).

The next meeting of the Cancer Cluster Commission is in December. Senator Sherman will make TA Scruton aware of the meeting date. A remote option is not available at this time. Another meeting will be held as soon as the bedrock study is available.

R. Winsor stated there is really no demarcation line where it is stated they are not in compliance. Senator Sherman stated the big issue is that it is not under State control, it is under EPA control. The

DRAFT: SUBJECT TO CHANGE

EPA is the only agency that can compel the polluter to act. If everything else is failing, depending on what the migration of the plume indicates, there is technology available; the major technology is pump and treat. The State and community need to be aware, but the EPA must also be on board. They have no surface water standards for PFAS; they are not at maximum containment levels, they have advisories (70 parts per trillion). There is still a lot of work to be done. The federal delegation is very well aware. The EPA, an executive branch, will hopefully have a little bit more pressure on them.

R. Winsor questioned how to reach out to the federal delegation. He has seen 'tweets' from the federal delegation about the wonderful things they are doing and we have seen zero. Senator Sherman stated they were retreating from a regulatory role on this issue; there are more than 100 sites in New Hampshire that need to be addressed on the federal level.

Senator Sherman stated they can push to hold the Coakley Landfill Group accountable for the State legislation that has been done. He continued they can also hold polluters accountable on land that is not a super fund site.

S. Smith stated that Senator Shaheen's and Senator Hassan's offices were aware of the problem. Senator Sherman stated the Board of Selectmen is doing an amazing job keeping the pressure on and it was appreciated by him and Representative Malloy. It helps them as they push the issue.

Representative Malloy stated that the morning meeting was an opportunity for those present to hear about what was happening. Newington was really concerned. Representative Malloy was glad to hear that chemicals had not been found on the Smith Farm, despite abutting the golf course. He is also on the Pease Restoration Advisory Board.

R. Winsor asked what could be done, as a community, to help residents communicate better with the federal delegation and provide them a resource so they could follow-up and state an opinion. TA Scruton suggested inviting the staff of the federal delegation to office hours at the Town Hall and advertise it to the community that someone from those offices would be available to listen to resident's concerns. That would give some empowerment to the community as an easy way to connect to federal resources. A link could be provided on the website with contact information for the federal delegation. Senator Sherman stated he would be happy to hold office hours at the Town Hall.

J. Connelly asked if there was one contact at the EPA, was there a group of people, or was it constantly shifting around. Senator Sherman stated there is currently one contact. He also mentioned that there was a lot of money available in the infrastructure bill for PFAS; it may not be available for Coakley due to it being EPA. Senator Sherman noted that a half billion dollars was a low estimate of the contamination in New Hampshire.

Senator Sherman stated this was his top commitment and he would keep the pressure on. J. Connelly thanked Senator Sherman and Representative Malloy for all they have done. Senator Sherman suggested that the Board of Selectmen should reach out to the new leadership in Portsmouth. They are one of the biggest polluters and their relationship with the Coakley Landfill Group is awfully close.

GACIT Hearing: Senator Sherman explained that the GACIT process is the 10-year transportation plan. At the recent meeting held at the fish ladder, Senator Sherman was concerned about the dry hydrant and the impact on potential safety for the Town. When you look at DOT's response to Rt. 33 and the fatal accidents, he was gratified they were taking two steps without going through the 10-year plan: getting rid of the passing lane and their plan to use federal highway safety funds to have a dedicated

turn lane. It should be on track to be completed by the fall of 2022. The long term is to push for a corridor study.

2. Final Budget Review

TA Scruton noted that the Police Department added an additional \$5,000 for a social media consultant and \$740 for telephone. He noted that some departments were at a 3% wage increase and others were at 5%. TA Scruton informed the Board that the Town was under budget at this time, adding that there was still November and December for possible winter maintenance.

R. Winsor was uncomfortable going forward with 'big' numbers this year. R. Winsor recommended that the Town budget be forwarded to the Budget Committee at a 3% wage increase and default budget based on the current economy. He considered himself a steward to the people of the Town, and this was their money. He would feel more comfortable with keeping the budget flat and challenging the departments to maintain their budgets this year. R. Hussey agreed with R. Winsor 100%, stating 'no disparities'. The Board should hold their line, agreeing they were they stewards for the taxpayers and they have an obligation. J. Connelly echoed R. Winsor's position: 3% standard across the board. Considering many departments came in flat, J. Connelly did not see any reason to not go with a default budget. TA Scruton noted the default budget for 2022 has not been calculated; that is usually done in December. If the Board decided to submit a default budget, the 2021 budget figures would be used. R. Winsor stated it was guidance for the Budget Committee. He asked Frank Hansler, Budget Committee, if he felt that was something the Budget Committee could work with; F. Hansler felt it was.

TA Scruton clarified that the 2021 figures would be carried over to 2022 as far as allocation. The increase, as currently submitted, was approximately 4.3% over the 2021 budget. The 2022 budget would be figures from 2021 with any contractual agreements and warrant articles, with a 3% salary increase. R. Winsor stated he was looking at a bottom-line budget and would leave the Budget Committee and department heads with some latitude. TA Scruton will let department heads know that they could come before the Selectmen in 2022 for a reallocation in the budget as needed.

There was a brief discussion regarding the allocation of funding for the Canine Officer line. Submitted at the default, that line would go from the requested stipend of \$6,500 to \$500. TA Scruton explained that the amount was moved from a salary increase to a stipend in the department head's proposal. R. Winsor further explained that if that stipend was important, something gives somewhere else. Addressing the Canine Officer, R. Winsor stated Willow is a great dog. His opinion was that the dog was not a police dog, she was a companion. They were comparing the Canine Officer's salary to a Canine Officer with a dog that is on a detail, highly trained and doing police activities. R. Winsor continued, with no disrespect to the dog, who is an asset to the community, it is a companion dog. At some point, we have to challenge ourselves to ask how to contain the costs to the Town.

The position requested by the Library was discussed. Marcia McLaughlin, Library Trustee Chair, stated they would do a warrant article for the increased hours from part-time to full-time and let the residents decide. They would be challenged on utilities due to the increased size of the facility. They could take from supplies to cover the cost of utilities. TA Scruton noted that the Board's obligation was to fund library services as determined. R. Winsor, addressing M. McLaughlin, stated she assured him and gave her word that the budget would not increase; he was holding her accountable.

Laura Byergo, Conservation Commission Chairman, discussed her budget request. She had originally transferred the summer intern from the warrant article to the Conservation Commission budget in the

DRAFT: SUBJECT TO CHANGE

proposed budget that was submitted. The percentages were large, but the budget was tiny. R. Winsor explained this was not set in stone; the Budget Committee ultimately made the decision.

S. Smith stated that if the Board was looking at this as a big picture item, he recommended staying with 3% wage increases across the board and the default. The Budget Committee would ultimately set the budget. S. Smith did not agree with the \$6,000 stipend for the dog although she was a wonderful animal.

R. Winsor reiterated that the Board's guidance to the Budget Committee was a 3% raise and a default budget. R. Hussey also agreed about the dog; she was supposed to be no cost to the Town and was now becoming a cost. S. Smith clarified that the care and maintenance was at no cost.

R. Bunnell felt there was not a challenge going with a flat budget and 3%; it sounded like a simple approach. He felt it was an easy budget and could have been an easier budget. The big issues were the roads, the fire station and possibly the Smith Farm. Responding to R. Bunnell, TA Scruton stated there were no vacancies on the Town Hall side at this time. The Fire Department had part-time openings; Police had none at this time that could be addressed.

3. Other Old Business

S. Smith attended the GACIT meeting; it was very well attended. He discussed the concerns with Rt. 33.

V. NEW BUSINESS AND ADMINISTRATIVE

1. Town Hall Closing at Noon – Wednesday, November 24, 2021

MOTION: R. Winsor moved that the Town Hall may close at noon on Wednesday, November 24, 2021, with the understanding that leave time must be used. Second – R. Bunnell; all in favor. MOTION CARRIED

2. Other New Business

There will be a Veterans Day Ceremony at Veterans Park on Thursday, November 11, 2021, at 10:00 a.m. There have been discussions of Santa visiting Greenland. The 300th Anniversary Committee has voted to have The Don Campbell Band at the Bethany Church for a Christmas Concert; it is tentatively scheduled for Friday, December 17, 2021.

VI. ACCOUNTS PAYABLE – THURSDAY, NOVEMBER 11, 2021

1. Payroll Manifest 21-23

MOTION: J. Connelly moved to approve the Payroll Manifest, pay date November 11, 2021. Gross amount, excluding payroll liabilities: \$69,273.39. Second – R. Bunnell; four in favor, one abstained (R. Hussey). MOTION CARRIED

2. General Fund Manifest 21-23

MOTION: R. Winsor moved to approve the General Fund Manifest of Unpaid Bills Detail as of November 11, 2021, in the amount of \$355,150.51. This manifest includes a Greenland School District payment in

DRAFT: SUBJECT TO CHANGE

the amount of \$250,000. Second – J. Connelly; four in favor, one abstained (R. Hussey). MOTION CARRIED

VII. NON-PUBLIC

1. RSA 91-A:3, II (a)

MOTION: R. Winsor moved to enter into non-public session under **RSA 91-A:3, II(a)**, at 8:30 p.m. Second - R. Hussey; all in favor. MOTION CARRIED

MOTION: R. Hussey moved to leave non-public and return to public session at 8:33 p.m. Second - R. Bunnell; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to seal the minutes of the non-public session. Second - R. Bunnell; all in favor. MOTION CARRIED

VIII.ADJOURNMENT

MOTION: R. Winsor moved to adjourn at 8:35 p.m. Second – S. Smith; all in favor. MOTION CARRIED

NEXT MEETING

Monday, November 22, 2021 – 6:30 p.m., Town Hall Conference Room

Submitted By – Charlotte Hussey, Administrative Assistant