



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, February 27, 2023 – 6:30 p.m. – Town Hall Conference Room

Members Present: Randy Bunnell, Vaughan Morgan, Steve Smith, Richard Winsor

Members Absent: Jamie Connelly

Staff Present: Paul Sanderson, Town Administrator

Also Present: Dennis Malloy – NH State Representative

Chair Smith opened the Board of Selectmen meeting at 6:28 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 COMMENTS

There were no public comments.

II. APPROVAL OF MINUTES

1. Monday, February 13, 2023

MOTION: R. Winsor moved to approve the minutes of Monday, February 13, 2023. Second – V. Morgan; three in favor, one abstained (R. Bunnell). MOTION CARRIED

III. OLD BUSINESS

1. Coakley Update

Selectmen received a copy of the memo from Peter Britz, Coakley Coordinator, to the Coakley Executive Committee (copy on file). The Deep Bedrock Study has been approved by the EPA. The GMZ (Groundwater Management Zone) determines the number of properties that would be effected by EPA orders; the application is being prepared and may modify based on what happens with the Deep Bedrock Study. Additional monitoring wells on the southern side (North Hampton) are required by the EPA. \$9,877 has been requested to put in a new overburdened well for monitoring purposes. Additional monitoring has been required by DES and the EPA. Water service connections will be made at 178A Lafayette Road, Rye. TA Sanderson, responding to R. Winsor, stated that an 'overburdened well' is going into deep bedrock. At the last public meeting, it was stated that the Deep Bedrock Study indicated it was moving to the south and west. It would have an increased impact on North Hampton on the southern side, the land behind the nursing home and the actual site. There was no additional contamination beyond the homes that have tested positive.

S. Smith stated he had seen an email from Executive Councilor Stevens that there is a NHDES program to fund filtration and connections available to residents who would like to filtrate their wells or make a

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water connection. Rebates of up to \$5,000 for a PFAS treatment or \$10,000 if connecting to a public water system are available to eligible applicants.

2. Vanasse & Associates Proposal: Peer Review of PDA Traffic Study

TA Sanderson updated the Board that the peer review of the traffic study will cost \$5,500 and would be a significant portion of the consultants line for the year. TA Sanderson wanted to be sure the Board was aware of the cost and that he should sign the agreement. TA Sanderson explained the contract was to have Vanasse & Associates do a peer review of traffic studies done by others for Lonza and Sig Sauer: one is in Newington and the subject of the Town's lawsuit; the other is in Portsmouth and still pending. The purpose of the review is to see if the studies accurately depict the impact of those two proposals. R. Winsor stated he did not want to spend the money; however, if not done, nothing was going to happen. Vanasse & Associates did a similar review of the Rt. 33 corridor for the Town in 2019. They also did a peer review of the Lonza project and were able to challenge many of the findings from the original traffic study.

V. Morgan questioned if Stratham was involved and, if not, should they be involved? TA Sanderson responded that Stratham was not involved. TA Sanderson suggested that they could be contacted and informed of the issue. R. Winsor felt it was important to reach out to Stratham. S. Smith's concern was that the agreement only addressed 100 New Hampshire Avenue, which does not include Sig Sauer and Lonza. R. Bunnell noted that the Vanasse review included looking at current and planned future roadways.

MOTION: R. Winsor moved to authorize the expenditure of the fixed fee from Vanasse & Associates for the Traffic Engineering Peer Review, not to exceed \$5,500. Expenditures over \$5,500 must be approved by the Board of Selectmen. Further, the Town Administrator is authorized to sign the agreement with Vanasse & Associates.

Discussion: R. Bunnell and V. Morgan commented they thought Stratham was going to be contacted about possibly sharing the cost. R. Winsor noted that there was not time. V. Morgan suggested waiting until the next meeting. TA Sanderson understood the review to be in support of the Town's ongoing litigation; a hearing date has not been set. TA Sanderson will contact the Stratham Town Administrator and have an answer by the next meeting. It was R. Winsor's understanding the review was of Rochester Avenue only and not Sig Sauer. He suggested including Sig Sauer and that it was imperative the Board understand when 80 Rochester Avenue would be before the Portsmouth Technical Advisory Committee (TAC) for a full review. Vanasse will need time to do the review; if it was not in place when it goes to TAC, do not bother with the review. V. Morgan commented that if Stratham was involved, it would mean more overall.

R. Winsor suggested approving the contract with Vanasse & Associates, conditionally, upon confirmation of 80 Rochester Avenue and completion in time for the Portsmouth Technical Advisory Committee review. R. Bunnell noted that the contract should be revised, including the cost: the contract does not state the information the Board needs.

Motion withdrawn by R. Winsor. Further discussion was continued to the next meeting.

3. Other Old Business

There was no 'Other Old Business' to discuss.

IV. NEW BUSINESS AND ADMINISTRATIVE

1. Transfer Station

TA Sanderson informed the Board that a Transfer Station employee had recently passed away. TA Sanderson discussed starting the hiring process for two open positions and suggested not making any decisions until after the March 14th elections when the Town budget would be decided.

S. Smith noted that the Transfer Station needs help, especially on a Saturday. He did not think that hiring should wait, and the position should be posted. The money has been in the budget, and it is a part-time position. R. Winsor stated that posting is not a commitment to hire. Selectmen agreed hiring should move forward.

TA Sanderson reported that the metal contractor had been changed. The new provider is Berwick Iron & Metal Recycling in Maine. They will pay \$0.40 per pound for aluminum cans and bales. They will pick up at the Transfer Station and there will not be a transportation charge. A 60-yard container for metal has been dropped off at the Transfer Station. There will no longer be a transport fee of \$550 for a 15-yard container.

2. Other New Business

Warrant Article Error: R. Bunnell noted there was a small error in the warrant articles on the ballot. The State recommended having a public notice there was an error on the ballot. TA Sanderson explained the error was an incorrect vote tally on Article 11 (Fire Department digital radios). It was posted as 'Recommended by the Board of Selectmen 5-0', when the actual vote was 4-0-1 (abstained). The Selectmen's minutes were clear that there was an abstention; an error had been made on the ballot. The error did not affect the outcome of the recommendation. Corrective action can be taken by referring to an error on the ballot in the Voter's Guide, on the Town Facebook page and the Town website.

Audit: Due to the number of items to be addressed in the audit report, R. Bunnell questioned the plan of attack for the upcoming audit. He questioned how the Board could work together with the Town to address the most important concerns in the report. TA Sanderson stated he would be happy with help from any or all of the Selectmen. Work on fixing the accounting system is underway; help with the IT Policy and updating the Financial Policy would be appreciated. V. Morgan suggested a prioritized list would be helpful and an issue could be addressed at each meeting. TA Sanderson commented that materials are being prepared for the 2022 audit.

R. Bunnell suggested committees to help address some of the audit items; he has offered to help wherever he can. V. Morgan stated that once committees are formed, they get further away from the issue. V. Morgan preferred to discuss the issues at the Board level. R. Winsor agreed with R. Bunnell, stating that there were Board members with full-time jobs and committees were a good use of time. R. Bunnell clarified that the committee would be within the Board of Selectmen and the Town Administration. R. Winsor added that a subcommittee could be formed from outside the Board of Selectmen. TA Sanderson stated assistance from Selectmen and residents would be appreciated. Dennis Malloy, 10 Van Etten Drive and NH State Representative, suggested a committee may call in people with expertise to help with information and direction.

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S. Smith added that the Personnel Policy should be reviewed, and a committee would be needed. TA Sanderson has met with Chief Laurent and Chief Cresta regarding the Personnel Policy.

Community Power: TA Sanderson stated that a provider of Community Power will make a presentation to the Board in April. Portsmouth, Rye, Newfields, and Newmarket are members of Community Power. If Greenland decides to join, it will be a year-long process; a vote at Town Meeting is necessary. TA Sanderson explained that Greenland would be buying into a consortium that has been formed at the State level. A range of power options are available that are generally less than the default rate for other energy companies. There would be an economic benefit to all residents by reducing electric rates.

D. Malloy noted that Rye has an Energy Committee that handles that project. It is very active, and many people are involved. Regular reports are made to the Selectmen. R. Winsor stated there needed to be an understanding of how it is managed and who oversees it because contracts are very important.

V. CONSENT AGENDA

1. Conservation Commission Resignations: Three Conservation Commission resignations have been received (copies on file), effective immediately: Lloyd Ziel, Brad Lajoie, and Laura Byergo.

S. Smith thanked L. Ziel, B. Lajoie, and L. Byergo for their service. Responding to R. Winsor, TA Sanderson stated there are currently four members on the Conservation. Three applications for appointment to the Conservation Commission have been received. Applicants will be asked to attend a Conservation Commission meeting to meet the members. The Conservation Commission will make recommendations to the Board of Selectmen for appointments.

2. Payroll Manifest: \$64,240.16
3. General Fund Manifest: Total: \$1,009,551.22 (Town: \$97,422.42, School: \$865,000, Health Trust: \$47,128.80)
4. Police Special Detail Revolving Fund: \$3,741

MOTION: R. Winsor moved to approve the Consent Agenda as presented. Second – V. Morgan; all in favor. MOTION CARRIED

VI. ADJOURNMENT

MOTION: R. Winsor moved to adjourn at 7:10 p.m. Second – R. Bunnell; all in favor. MOTION CARRIED

NEXT MEETING

Monday, March 13, 2023 – 6:30 p.m., Town Hall Conference Room

Submitted By – Charlotte Hussey, Administrative Assistant