



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

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Monday, November 13, 2017 – 7:00 p.m. – Town Hall Conference Room

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

*Staff:* Karen Anderson – Town Administrator; Tara Laurent – Police Chief; Ralph Cresta – Fire Chief; Paul Hayden – Property Maintenance Supervisor, Road Agent

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Chair Morgan opened the Board of Selectmen meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

**I. PUBLIC HEARINGS**

**1. E-911: Renaming of Bayridge Road (RSA 231:133-a)**

Although the public hearing was not required by statute, members of the E-911 Committee were present to answer any questions the public may have regarding driver's licenses, registrations, mortgages, deeds, etc. Chair Morgan opened the public hearing for comments. There being no comments, he closed the public hearing and returned to the Board.

MOTION: J. Rolston moved to rename Bayridge Road to Osprey Cove and not to renumber the residences. The change will be effective February 15, 2018. Second - C. Hussey; three in favor, two abstain (P. Sanderson, C. Deorocki). MOTION CARRIED

**2. Police Department Detail Rates**

Chief Laurent explained that the detail rate has been adjusted, historically, as officer rates increase. This request is due to an increase in the Admin fee; all applicable fees are included. The current Admin fee is \$2 per hour, which is low compared to the surrounding area and throughout the State. Chief Laurent has requested an increase in the Admin Fee of \$5 per hour (from \$2 to \$7), effective January 01, 2018. Greenland will remain competitive with other towns. Chair Morgan noted that the detail fees cover the cost of the cruisers. Chief Laurent added it includes the cruiser and its set up, gas on details, any maintenance, etc. The Admin and Bookkeeper are also included in the Town's total cost.

K. Anderson added that an increase to detail rates was discussed during the budget process to compensate for the increase to the Police Department Administrative Assistant position going from part-time to full-time.

Chair Morgan opened the public hearing for comments. There being no comments, he closed the public hearing and returned to the Board.

MOTION: C. Deorocki moved to approve the increase in Police Department detail rates from \$61 per hour to \$66 per hour, effective January 01, 2018. Second – J. Rolston; all in favor. MOTION CARRIED

### 3. Acceptance of Grant: Bulletproof Vest Partnership – Police Department

Chief Laurent explained that each year funds are set aside to purchase bulletproof vests; the estimated life span is five years. The Police Department is on the same rotation for new vests, with the exception of one officer. Chief Laurent had applied for a bulletproof vest partnership grant; up to 50% of the cost may be covered through the grant. Greenland received \$3,678.95. K. Anderson noted the Board's motion at a previous meeting was to approve the purchase of vests up to \$9,000. This will amend that motion to include an additional SWAT Team vest at a higher amount. With the grant, funds will be available.

Chair Morgan opened the public hearing to comments. Responding to a question, Chief Laurent stated that bulletproof vests cost approximately \$900 each. There being no further comments, Chair Morgan closed the public hearing and returned to the Board. P. Sanderson questioned the need to increase the amount going into the Capital Reserve Fund through a warrant article for next year based on the grant money received. Chief Laurent agreed that keeping the warrant article amount at \$2,000 would be enough and could be increased in five years after the next purchase.

MOTION: P. Sanderson moved to accept the grant in the amount of \$3,678.95 from the 2017 Bulletproof Vest Partnership. Second – J. Rolston; all in favor. MOTION CARRIED

### 4. Acceptance of Donation: DARE Funds

At one time, funds were raised for DARE before the program was part of the budget. The balance in the checking account is low enough that funds can be transferred to the General Fund. K. Anderson added that it will be a separate line item in the General Fund as Donations Accepted for DARE as recommended by the auditors.

Chair Morgan opened the public hearing for comments. There being no comments, he closed the public hearing and returned to the Board. J. Rolston asked if DARE programs were closing around the State. Chief Laurent responded that the program has its ups and downs, and several different programs are in place. She felt it was more about police officers interacting with the students, and was a big supporter of a general program. They have participated in training for other programs.

MOTION: P. Sanderson moved to accept the donation of \$159.19 from the DARE program. Second – C. Deorocki; all in favor. MOTION CARRIED

### 5. Acceptance of Donation: Bollards for Town Offices

The installation of the bollards on the parking lot side was approved by the Board on Monday, October 23, 2017. Four bollards were donated by Chipco Realty; C. Hussey has secured an additional four bollards. C. Hussey stated the additional bollards were from Jim Jones; he had taken the original bollards to his shop.

Chair Morgan opened the public hearing for comments. There being no comments, he closed the public hearing and returned to the Board. C. Hussey valued the four bollards from Chipco Realty at \$259 each.

MOTION: P. Sanderson moved to accept the donation of bollards from Chipco Realty, and assign a value of \$259 per set. Second – J. Rolston; all in favor. MOTION CARRIED

Chair Morgan, on behalf of the Town, thanked all donors for their contributions.

## II. APPROVAL OF MINUTES

### 1. Monday, October 30, 2017

MOTION: P. Sanderson moved to approve the minutes of Monday, October 30, 2017. Second – C. Deorocki; all in favor. MOTION CARRIED

## III. OLD BUSINESS

### 1. Coakley Update

K. Anderson reminded the Board that the meeting scheduled last week at the Bethany Church will be held on Wednesday, November 15, 2017, at the North Hampton Town Hall, 233 Atlantic Avenue, at 6:30 p.m. Chair Morgan urged Selectmen to attend, if possible. This meeting will be to update the public and where testing is being done. They will have met with the Coakley Group and have an update from them. A question and answer period for the EPA and Coakley Group will be held. P. Sanderson questioned if their recommendation was to not change the remediation option. K. Anderson responded that was stated in their report, and they were not going with the pump and treat.

The Board made Jillian Lane an unofficial alternate to the Seacoast Cancer Cluster Committee because she had been attending the meetings. Two meetings have been held, and Martha Wassell has been unable to attend. K. Anderson has spoken to M. Wassell; the afternoon meetings are difficult for her to attend due to her job. *(Note: Representative Malloy clarified that the meetings are held at 10 a.m.)* M. Wassell indicated she's willing to be replaced on the Committee. P. Sanderson noted that the proposed action was to appoint M. Wassell as the alternate and appoint J. Lane as the Town's representative. Chair Morgan noted that J. Lane was well-qualified and recommended the appointments.

MOTION: P. Sanderson moved to appoint Jillian Lane as Greenland's representative on the Seacoast Cancer Cluster Committee and to appoint Martha Wassell, Health Officer, as the alternate for Greenland. Second – J. Rolston; all in favor. MOTION CARRIED

Chair Morgan reminded the Board that the alternate representative didn't have a voice on the Committee. If the Town's representative isn't present at meetings, the alternate representative can't vote. P. Sanderson stated that the Selectmen weren't dissatisfied with M. Wassell; it was a matter of her availability. K. Anderson will notify the State of the Board's decision.

Breakfast Hill Road Engineering: Underwood Engineers was notified of the approval of the MTBE funds for the engineering portion of the project. Funds will not be released until February or March 2018. They have contacted Portsmouth and Greenland about moving forward to develop the scope of the final budget for review with DES.

P. Sanderson noted the Committee is looking for a range of alternatives. The only recommendation in the letter from the City of Portsmouth was to run the existing pipe at the top of Breakfast Hill Road (Greenland), across I-95, down the length of Breakfast Hill Road, and back into Portsmouth to connect.

The Committee would like other creative options: phasing is a consideration, connecting to the area most impacted first; connecting to Aquarion; etc. They are looking for the most return on their investment. It's being looked at from the standpoint of economic development, inter-connections, etc.

Chair Morgan stated that safety is paramount and should always remain on the forefront with the drinking water. Underwood Engineers should keep moving forward. P. Sanderson added that the scope of work should include other alternatives.

P. Sanderson attended a Study Committee meeting of House Bill 431 - Seacoast Long-Range Study on Drinking Water and Inter-Connectivity. DES made a presentation; information will be on the Town's website. They learned that Greenland was a major part of the cause and there was no inter-connectivity in the Seacoast. The first part of the impediment is legislation: from 1895 to 2012 Greenland dealt only with Portsmouth, which prevents discussions with Aquarion until the legal impediment is removed. The ability of Aquarion to inter-connect with Portsmouth must go through Greenland. The Town is the major island where services don't exist. P. Sanderson continued that Greenland is the weakest in fire service, which is also an aspect of the study. K. Anderson added that the Town was able to amend the old session law so Portsmouth no longer has the exclusive right to provide water to Greenland. However, only Greenland and Portsmouth are allowed to withdraw water from the ground.

The Study Committee will decide if legislative action is warranted. P. Sanderson stated that the MTBE Committee and the Study Committee at the same time offers a very different environment. In addition, Greenland has open space because of wetlands and very poorly drained soil; building isn't appropriate or economic. If "clean water in, dirty water out" can be solved, that changes.

Dennis Malloy, State Rep and Greenland Resident: He has attended the meetings as well. He's ready to work on whatever needs to be done; however, Greenland is the lone voice. Help will be needed from within the community. He discussed the drinking water maps that were displayed at the meeting earlier in the day.

Chair Morgan added that going forward, safe drinking water would be an issue in every town, city and state. D. Malloy commented that Greenland is not alone.

## 2. Road Update: Great Bay Drive West and Willowbrook Avenue

Great Bay Drive West: P. Hayden informed the Board that there would be a meeting on Tuesday morning, November 14, 2017 regarding Great Bay Drive West with Mr. Brackett and the engineer on site. P. Sanderson asked P. Hayden to speak to the engineer about the culvert repair based on the King Tide and levels of water: the size of the culvert; getting it done within a 16' width is well-nigh impossible. It's possible nothing could be done, depending on the situation; it would become an emergency lane. K. Anderson added that if an overlay is done, it would only last three to five years because of the road condition. P. Sanderson stated that an overlay doesn't have to be done; it's about emergency access even though it's not fair to residents in that area. Leonard Schwab commented that there isn't an emergency lane on Great Bay West. P. Sanderson reiterated the Town could only do what it could do, and hoped the meeting went well on Tuesday morning.

Cheryl Strong, Strong's Landing: K. Anderson responded to her question about Mr. Brackett's concerns. For the most part, it was width of the road; he has four building lots. P. Sanderson stated he was unsure it was a Town accepted road because the procedures weren't followed in RSA 674:40. If Mr. Brackett went to the Planning Board with any type of subdivision, they have the ability to require off-site

improvements which could mean a 50' right-of-way and 22' travel way. That is the Planning Board's standard road design in the Subdivision Regulations.

Returning to the statement that the Town doesn't own the land, P. Sanderson clarified that the Town owns the land; however, the Town Meeting was before the deed was done. K. Anderson added it was "as is, where is". P. Sanderson responded that "as is, where is" included the ability to have a right-of-way on the side where snow was plowed and that's more than 16' wide. The Town uses that land and has always used that land, and it's part of the prescriptive right-of-way. Utilities are also in the right-of-way. An argument could be made that the Town's right-of-way is larger than 16'. P. Hayden stated there is 18' total width, but only 16' can be paved to leave 1' shoulders on either side. Chair Morgan stated that the Board needed to know if the Town had the right to repair the road correctly. If they didn't have the right to do it, Mr. Brackett was impeding moving forward. K. Anderson added that the courts look at the intent of the voters; the discussion at Town Meeting was very clear from the residents of that area to accept it "as is, where is". There was discussion about a 50' right-of-way, widening it and that amendments were made to add in "as is, where is".

Chair Morgan asked about eminent domain. His goal was to make the road safe for emergency vehicles. C. Hussey suggested the approach may be "if the Town puts the road in, you won't have to". Financially, it would be good for Mr. Brackett. If Mr. Brackett was going to subdivide the land, the road will have to be widened and he'd have to pay to do that. P. Sanderson added that looking at it from the tax payer side, it would be best to wait for the subdivision and have it be 100% Brackett expense. C. Strong pointed out that if he never subdivides the land, the residents in that area suffer. P. Hayden commented that if the road is done correctly, it's to Brackett's benefit.

Willowbrook Avenue: There was a meeting with the engineers last week; P. Hayden felt that was going really well. Liz Cummings, Nantucket Place resident, was present; her biggest concern was the speed on that road once the repairs were done and bridge widened. Currently, a pickup truck and bus can't pass over the bridge at the same time because it's so narrow. That section will be straightened out and widened, and necessitated the removal of some trees.

K. Anderson added that the RFP advertising has gone to the newspaper; the engineering company will handle all of the bids—selling the plans, taking the deposits, etc. There will be a mandatory pre-bid meeting on Wednesday, November 22, 2017. The goal is to have it contracted this year, encumbering the funds. An add-alternate has been included for Great Bay West: the correct way to rebuild the road and the alternate shim and overlay. Leonard Schwab stated that a shim/overlay will be highly problematic at the boat ramp; there is a curb at that level, and the pavement is 6" below that, up and down. If a plow hits the edge of that, it's going to "cream the plow, big time". He presented the Board with a 1" shear bolt from a plow six months ago.

P. Sanderson clarified that he was addressing Willowbrook Avenue. K. Anderson responded that Willowbrook will be "all or nothing". In order to get the Economy of Scale, both projects are being advertised and bid together.

C. Hussey informed the Board that the Conservation Commission reviewed Willowbrook. Five years ago it was brought to the Town's attention that if the culvert was replaced, they wanted to maintain connectivity above and below the stream for aquatic and non-game wildlife. The present plan, by admission of the engineer, doesn't provide that or involve the NH Guidelines for Stream Crossings; the request was to design it "in kind". The Conservation Commission is going to fight it. C. Hussey continued that he has spoken to Eben Lewis, DES, and he doesn't recall any conversation dealing with concrete pipe on Willowbrook Avenue. P. Sanderson was in agreement that the culvert should be

designed to the Stream Crossing Guidelines. Specifics on elevation were not discussed. The Conservation Commission would prefer a box culvert, which is more expensive, but will last longer and not clog as easily. The present plan calls for reinforced concrete pipe. P. Sanderson stated that RCP in that location would not be appropriate because there is movement and organisms in that stream. P. Hayden noted it's not flowing right now; when it does flow, it's shallow. There are times during the year when it's dry. The Conservation Commission didn't have a problem with Great Bay Drive West.

Chair Morgan asked P. Hayden to revisit the Willowbrook culvert; the Board wanted the culvert done correctly.

### 3. Other Old Business

Video Surveillance Cameras: At the request of Chair Morgan, Chief Laurent updated the Board on the security cameras. Bids were received several months ago for the parking lot and Town Offices. Chief Laurent and Chief Cresta met with Doug Poulin, the Town's IT Specialist. His bid was the lowest at \$2,400 and included all the equipment. Chief Cresta volunteered several of his staff to help run wires. They were all in agreement about the placement of four cameras: one inside the lobby of the Town Hall facing the front door, one outside the front door of the Town Hall facing the parking lot, one overlooking the parking lot side of the Town Hall, and one overlooking the bays at the Fire Department.

The Board had also discussed cloud storage rather than the stand alone. The cost would be an additional \$200 per year. The Video Surveillance Policy is being worked on by the Town Administrator, Chief Laurent and Chief Cresta. Chief Laurent felt the cameras and policy were going to be a positive step forward by the Town. Chair Morgan stated this would be an investment worthwhile; it may not necessarily stop anything from happening, but could deter it. The cameras will be hard-wired for crispness of the picture. There was a brief discussion about where the cameras were made and the manufacturer. The information will be made public when the cameras are selected. Funds are available this fiscal year to purchase and install the cameras.

MOTION: P. Sanderson moved to have the cameras contracted in this calendar year. Second – J. Rolston; all in favor. MOTION CARRIED

300<sup>th</sup> Anniversary Committee: J. Rolston reported that the Committee met last week. The Chairman of Stratham's Anniversary Committee was invited to attend the meeting. He was very informative and shared some good ideas. Greenland's committee will start with identifying a logo.

Transfer Station Patio Heaters: C. Hussey proposed two 120V outdoor patio heaters for the Transfer Station. They can be staged to a low fire/high fire; there is no thermostat. He estimated the installed price at \$7,000 to \$8,000. The heaters are built to be in the weather and should last for multiple years. The fuel will be propane and use roughly a gallon per hour running at full capacity. Tanks will be located behind the recycling building and barricaded, which should be provided by the supplier. The cost includes labor and electrical. There was a brief discussion about the cost. C. Hussey recommended sending out an RFP for pricing.

#### IV. NEW BUSINESS AND ADMINISTRATIVE

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

Fire Station Roof: The report of the Fire Station roof was given to the Board. It has been added to the agenda for the meeting on Monday, November 27, 2017. The Budget Committee meets on Thursday, November 30, 2017. P. Hayden will give a copy of the report to the roofing company. There should be an estimate available for the next meeting.

The report recommends a roof on top of the existing roof. C. Hussey suggested insulated panels rather than corrugated. P. Hayden stated that insulated panels won't be necessary because the roof is already insulated. A Butler building comes with a kit to give the roof a pitch.

##### 2. Review of RSA 31:106 – Indemnification Policy

At the last meeting, it was suggested that there be an annual review of the Town's Indemnification Policy. The policy was last approved at Town Meeting in 1976; it would be appropriate to reaffirm the policy. An insurance policy is carried for anything required; the policy would be used for anything not required.

Responding to a question from Chair Morgan, P. Sanderson stated this is not automatic under the RSA; towns/cities are not required to indemnify. The policy approved in 1976 is not as broad as the current statute. P. Sanderson also updated the Board on civil rights suits dealing with police brutality, illegal search and seizure, etc. He also explained the difference between insurance and indemnification. Insurance covers the Town if they lose; however, if not indemnified, the Town would have to bear its own expenses for legal fees. Indemnification means there's coverage for expenses in addition to any damages that have to be paid. K. Anderson added that the Town carries a Liability Policy as well and pays for an Indemnification Policy.

MOTION: P. Sanderson moved to update the Indemnification Policy as outlined in RSA 31:105 and RSA 31:106. Second – J. Rolston; all in favor. MOTION CARRIED

##### 3. EIP Abatement

An in-depth discussion on the merits of the case would need to be done in a non-public session. The property location is Cole Haan, 150 Ocean Road. The case was in front of the BTLA in 2016 for 2013 and 2014 property taxes. The ruling was that the value was to be \$15,100,000 equalized; the current equalization factor is below market value. That abatement was paid by the Town in 2015. The applicant has reapplied for 2015, 2016 and 2017. The assessment was originally increased by \$1 million due to \$1.5 million in building permits for renovations. Through the settlement process as required by BTLA, the assessor and EIP's agent agreed that \$568,000 of the building permits were improvements that were generic enough to benefit the building for tenants. The other improvements were strictly Cole Haan: office layout, carpeting, etc. that wouldn't add to the value of the building. The property is currently being assessed at \$15,658,600. They are willing to accept that value, equalized for 2015, 2016, and 2017. An agreement is needed for BTLA shortly, or the case goes to BTLA for review.

Chair Morgan, based on his experience with BTLA boards, remarked they are not city or town friendly. K. Anderson stated that based on the agreement, BTLA would rule equalized. It should be a fair market value, and there are no other similar buildings that have sold recently to be use as a comparison. The

land directly across the street (Bluebird Storage) sold recently. She was unsure how BTLA would rule on the EIP case. P. Sanderson noted that if this was accepted, it would clear things up before the revaluation. Chair Morgan added that BTLA would prefer to have a mutual agreement between parties. K. Anderson told the Board that the equalization rate for 2017 is being estimated at 87; the new equalization rate is not yet available. Chair Morgan felt the assessment of the situation was logical and recommended approving the abatement. P. Sanderson recommended using the 2017 equalization rather than the estimated; K. Anderson pointed out that it wasn't available and the Town would owe additional interest while waiting.

MOTION: C. Hussey moved to approve the EIP Abatement in the amount of \$85,857 plus interest. Second – C. Deorocki; all in favor. MOTION CARRIED

#### 4. All Veterans Credit

The resident at 329 Bayside Road qualifies for the All Veterans Credit based on years of service and residency. An All Veterans Credit has been requested, not the standard Veterans Credit.

MOTION: C. Hussey moved to approve the All Veterans Credit for the resident at 329 Bayside Road in the amount of \$500. Second – J. Rolston; all in favor. MOTION CARRIED

#### 5. Other New Business

Bond Reduction - 64 Tide Mill Road: A request was made to reduce the bond to \$21,920. Dennis Moulton and Eric Weinreib, Altus Engineering, have reviewed the request.

MOTION: C. Hussey moved to approve the release of \$115,328 from the original bond amount of \$137,248.20; the amount to be retained by the Town will be \$21,920.20. Second – J. Rolston; all in favor. MOTION CARRIED

Library Expansion Presentation: P. Sanderson updated the Selectmen on the presentation to the Planning Board. It was identical to the one made at the Selectmen's meeting. The Planning Board has taken it under advisement. It was made clear that the Planning Board doesn't have the right to approve or disapprove the project; the Town is not subject to its own Zoning Ordinance. They may, however, give suggestions as the Library goes through the process. Identified areas of concern by the Planning Board were parking, traffic flow, setbacks from the property line, lot coverage, septic, and an agreement with the School District. The plan is to put a septic system in the front yard that can handle 100 people. It was strongly suggested by the Planning Board that the parking area on the School side be a reserve septic area. There are significant issues to be resolved, including stormwater. For the Library to obtain any property interest from the School, a vote will be required of the School District. The School District property is subject to a bond and they'll need a partial release.

### V. ACCOUNTS PAYABLE – THURSDAY, NOVEMBER 16, 2017

#### 1. Payroll Manifest 23

MOTION: P. Sanderson moved to approve Payroll Manifest 23 in the amount of \$88,043.77. Second – J. Rolston; all in favor. MOTION CARRIED



The payroll is higher than normal because it includes Fire Department stipends, payout of unused comp time, a large number of details were worked, and a holiday (Police Department work on a holiday is double time and a half). Selectmen's stipend will be on the next payroll.

2. General Fund Manifest 23

MOTION: P. Sanderson moved to approve General Fund Manifest 23 in the amount of \$281,673.83 (School - \$180,000). Second – C. Deorocki; all in favor. MOTION CARRIED

The next manifest will be large due to payment of County taxes.

VI. NON-PUBLIC [RSA 91-A:3, II(e)]

1. EIP Abatement

The non-public session was not necessary.

VII. ADJOURNMENT

MOTION: C. Hussey moved to adjourn at 8:17 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

NEXT MEETING

Monday, November 27, 2017 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, December 11, 2017