



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, November 12, 2018 – 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; Ralph Cresta – Fire Chief; Jim Marchese – Building Inspector; Paul Hayden – Property Maintenance Supervisor, Road Agent

Chair Morgan 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 recorded.

Chair Morgan wished Dr. Elmer Sewall, Breakfast Hill Road, a very HAPPY 100th BIRTHDAY! Dr. Sewall has received the Boston Post Cane, which is given to the oldest Greenland resident.

I. APPROVAL OF MINUTES

1. Monday, October 29, 2018

MOTION: J. Rolston moved to approve the minutes of Monday, October 29, 2018. Second – C. Deorocki; all in favor. MOTION CARRIED

2. Thursday, November 01, 2018

MOTION: P. Sanderson moved to approve the minutes of Thursday, November 01, 2018. Second – C. Deorocki; all in favor. MOTION CARRIED

II. OLD BUSINESS

1. Fire Department Building Committee

Several members of the Fire Department Building Committee were present. P. Sanderson reported that the Committee has made a recommendation to the Board of Selectmen that Ricci Construction be approved as the Design Manager for the project. He specifically acknowledged the Building Inspector for his tremendous assistance throughout the process. All documents, including minutes of the meetings, are available to the public.

MOTION: P. Sanderson moved to approve the selection of Ricci Construction as the Construction Manager for the proposed fire station. Second – V. Morgan

Discussion: D. Malloy, Fire Department Building Committee, echoed P. Sanderson's comments and appreciated J. Marchese's work on the project; it made their job pleasant. He added that it was a tough

decision; there were good proposals and the rankings were close. J. Rolston asked for clarification: was the vote to give Ricci Construction approval to finalize plans or was it to build the fire station? P. Sanderson responded “it was the former”. The first task for the design/build contractor is to create a guaranteed maximum price. The approximate construction cost will be between \$2 million and \$3 million. It will have to go through the Budget Committee process, a public hearing and a bond hearing. This approval is only to create the guaranteed maximum price; the cost will be \$7,000 to take the project to the voters. J. Marchese clarified that the \$210,000 quoted in the contract is the total cost for Ricci to do the design/build and complete the fire station. P. Sanderson further clarified that the Ricci Construction proposal quotes pre-construction services through March 01, 2019 at \$7,000 (stipulated sum). J. Marchese noted that \$75,000 was approved by voters in 2017 (Article 8) for engineering fees. To date, a little over \$5,000 has been spent from that warrant article; the remaining balance is approximately \$69,000. Civil engineering and surveying also needs to be done; the Board will be notified as soon as numbers are available. C. Deorocki asked if there were any other costs expected before going to a vote by residents; J. Marchese stated none that the Committee was aware of. P. Sanderson stated that everything the Committee has done to date is still of value even if it doesn’t go to the voters this year or if the voters turn it down; the information will be valuable any time in the future.

MOTION: P. Sanderson moved to approve the selection of Ricci Construction as the Construction Manager for the proposed fire station. Second – V. Morgan; all in favor. MOTION CARRIED

2. Coakley Update

K. Anderson informed the Board that the Club House at the Breakfast Hill Golf Club has tested positive for 1,4 Dioxaine. It had been testing positive at a lower level; the level has been reduced to .32 and their last testing was .68. The Board received a copy of the letter from the Breakfast Hill Golf Club to the Coakley Landfill Group and DES regarding the water conditions. They have been put on bottled water; it will not work for the golf course. It was stated in their letter “that anything short of providing the Golf Club with a municipal water line is falling short of The Coakley Group’s obligation to make things right.” K. Anderson hasn’t received any follow-up. The water source for the Club House and irrigation are separate wells. J. Marchese noted that the irrigation wells are shallow wells; the drinking water wells are deeper.

K. Anderson has spoken to Mary Ann Sewall. They have an expensive filtration system at the Golf Club; Peter Britz was going to look at their system for any changes that may need to be made. P. Sanderson stated that the Town would have to work with the Health Officer and Building Inspector; if the 1,4 Dioxaine problem isn’t resolved, the Health Officer will need to get involved due to the health and safety of the public. If not resolved, they won’t be able to hold functions over the winter. That’s part of the damages being suffered. He continued that it’s terrible for advertising and real estate sales are being affected. The City will now have to come forward; they’re starting to cause real damage. The remedy should be easy; a water line already exists into Seavey Way, which is across the street. Chair Morgan asked K. Anderson to contact the Health Officer.

K. Anderson updated the Board on an email that was received about the church bells ringing at night as a health issue. An official complaint was filed with the Portsmouth Health Officer and forwarded to K. Anderson and Greenland’s Health Officer. The Town’s Health Officer, based on her expertise, didn’t feel there was a health issue.

3. Change Order: Willowbrook Avenue and Great Bay Drive West

K. Anderson explained that the change order was for Great Bay Drive West reconstruction (a copy is on file). When the contract was originally approved by the Board earlier this year for Lyman & Sons to move forward with Willowbrook Avenue, construction costs for Great Bay Drive West were not included. There is an increase in the contract cost of \$187,084.90; the original contract price was \$314,490. A savings was realized on Willowbrook Avenue.

P. Sanderson noted that points of access are granted under RSA 236:13. His concern was that in the future someone might think the Board of Selectmen granted three driveway permits; that was specifically what the Board said not to do. He wanted the record to be perfectly crystal clear they were not driveways. K. Anderson responded that the original Memorandum of Understanding stated that “these do not constitute driveways as far as subdivision purposes.” The Brackett’s wouldn’t sign the document without the sentence being removed. P. Sanderson noted it was signed with that sentence removed; but, these are not driveways. C. Hussey stated that Great Bay Drive West needed to move forward, adding these are access points for maintenance of their land only. The Planning Board can determine any subdivision of the land. This discussion, going into the minutes, is documentation that these are not driveways; they are points of access for land maintenance. K. Anderson added it was not for subdivision purposes. This is not saying they have three lots, in any way. They have access to areas on their land where the Town is raising the grade of the road 18” and higher. P. Sanderson clarified they have one lot bisected by a road.

K. Anderson reviewed the financial part of the project. In 2017, there was a warrant article for \$300,000; the remaining balance available in the 2018 budget is \$154,471.37. To complete the entire project, \$115,744.80 is needed. Last year, \$195,000 was deposited into the Road Capital Reserve Fund. Or, it could be taken from the 2019 budget because the project is being submitted through FEMA as a Hazard Mitigation Grant. All indications are that it will be approved, but there are no guarantees. If appropriated through the budget, it would be reimbursed by FEMA and reallocated to another project. \$270,000 is needed to complete both projects: \$154,471.37 is available from 2018 and \$115,744.80 will be needed from the 2019 budget or CRF. In 2019, there may be a warrant article for Bayside Road; Cemetery Lane needs a total reconstruction. The estimate is \$41,000 if Cemetery Lane is reconstructed; Bayside Road is at \$1.4 million for total reconstruction.

K. Anderson asked Underwood if the decision could wait until the next meeting on Monday, November 26, 2018; that was fine. P. Sanderson preferred to discuss it with the Budget Committee at their meeting on Tuesday, November 13, 2018.

P. Sanderson wanted it made clear in the minutes that these are not driveway permits, and placed on record with the Planning Board and Building Inspector. Anyone looking at that parcel will be aware; if a subdivision is submitted, it will be completely in the hands of the Planning Board. Copies of minutes will be placed in the street file.

Cheryl Strong, Strong’s Landing, asked where the Great Bay project stood. K. Anderson stated that nothing will happen in 2018 except possibly minimal tree work as soon as the Board signs the change order. The substantial date is set as May 31, 2019, with final completion on June 30, 2019. Signatures from the Brackett’s have been received. Funding mechanisms need to be discussed; it wasn’t “if” but “how”. J. Rolston asked if there was money in the CRF, wouldn’t that be a logical use. P. Sanderson explained that would reduce the capital reserve program if they were considering the future of Bayside Road. He asked C. Hussey, as the Budget Committee representative, if he felt this should be discussed

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with the Budget Committee. C. Hussey responded that this project belonged to the Selectmen; when Bayside Road was discussed, the Budget Committee needed to be involved.

MOTION: C. Hussey moved to approve the change order for improvements to Willowbrook Avenue and Great Bay Drive West, bringing the contract price with all approved change orders to \$501,574.90. The contractor is Lyman and Sons, Inc. Second – J. Rolston; all in favor. MOTION CARRIED

P. Sanderson reiterated that documentation needed to be in the street files that these are not driveways.

4. Other Business

Chair Morgan revisited the minutes of Monday, October 29, 2018. During that meeting K. Anderson stated it was prudent to use the bond funds first rather than the Capital Reserve Funds. He has received several questions from residents about the difference. It would seem logical to drain the CRF before the borrowed funds are used because they came first. K. Anderson responded that the Library is “a not to exceed” project at \$3.5 million; \$2.9 million was bonded. The CRF was at \$650,000; it’s a tight budget. She stated she would be comfortable if the Board decided to use the CRF and leave a balance of \$75,000 to \$100,000 and then deplete bond funds. If there are bond funds remaining one year after the project is completed, the process is complicated to return funds. Her recommendation was intended to make it easier on the accounting side. Interest rate of 3.14% is currently being paid on the bond. P. Sanderson felt the savings should be used first before using the borrowed funds. At the end of the bond process, it could be used to pay down the principal. A vote will be needed at Town Meeting to close the account. There is no pre-payment penalty. The consensus of the Board was to use the CRF first.

K. Anderson, at P. Sanderson’s request, explained the manifests with the different Library funds. The auditors are recommending that all costs and revenue for the project be maintained in a separate capital fund account; that has been established. The bond money was deposited into a separate account at Provident Bank, known as “Capital Fund”. They have issued the interest rate at the same as the General Fund (1.89%). The funds expended for the Library from the General Fund need to be transferred to be expensed from the bond money. Deposits from the Trustees of the Trust Fund have been received to reimburse the bills; the checks have been deposited into the General Fund. The check for \$176,224.15 is from the Capital Project Fund to the General Fund. A check from the General Fund will then be cut in the amount of \$73,617.88 to be deposited into the Capital Project Fund. K. Anderson clarified the Capital Project Fund is not the same as the Capital Reserve Fund. Going forward, checks will be written from Capital Project Fund; the General Fund will not be involved. These were audit actions to clear the General Fund for the end of the year.

The Town has not received a copy of the architect’s contract. Marcia McLaughlin will get a copy to K. Anderson; she will also get her a copy of the Construction Manager’s contract. Bond documentation is on file with the Town.

III. NEW BUSINESS AND ADMINISTRATIVE

1. Review of Town Administrator’s Bi-Weekly Report

Farmers Market: Letters have sent to the Liquor Commission for the vendors approved to sell alcohol-related products at the Winter Farmers Market. The caveat had been to indicate that commercial uses were approved for that property based on the existing Variance. After research, one Variance had been

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issued when the nursery was established and it was a Subdivision of Land creating the backlot for the nursery. Commercial purposes, not necessarily restricted to agriculture, were allowed. The notes were: commercial use approved “as long as it didn’t change the nature of the Breakfast Hill Road neighborhood.” Farmers market does fall under some of the agriculture issues of selling retail products.

Budget: Tuesday, November 13, 2018 is the first budget review. The difference between the default budget and the proposed budget is \$102,067.

Electronic Time Keeping: It had been requested that K. Anderson research eliminating paper time sheets. Town Hall staff did a two week free trial using an electronic time keeping system; it was not efficient and didn’t work for our purposes. K. Anderson has been working with Chief Cresta; they are looking at a card swipe system with kiosks in the Town Hall and Fire Station. This type of system will work with QuickBooks. K. Anderson has a quote for two kiosks and the swipe cards of \$15,000.

2. Other New Business

Dock Permitting: C. Deorocki had asked the Building Inspector if there was a process for permitting docks on Great Bay. An informational packet was provided to the Board about the dock permitting process in Greenland; there’s a lot to it with DES.

Warrant Articles: K. Anderson distributed a list of warrant articles that have been discussed by the Board (copy on file); projected impacts are indicated. Warrant articles include the School Resource Officer, seasonal laborer, Disabled Veterans Credit, amendment to the amount for the Veterans Credit, property tax exemption for solar energy, video recording public meetings of Board/Commissions with elected officials, Police equipment, ambulance billing, Police Station maintenance, maintenance of Town conservation land, safety gear for the Fire Department, and a deposit into a capital reserve fund.

K. Anderson explained that the property tax exemption for solar energy was the request of a resident and wouldn’t impact the tax rate. Greenland has never assessed the value of solar panels/equipment. With the revaluation in 2018, DRA now requires the panels/equipment to be assessed if a town has not adopted RSA 72:61-64 for the tax exemption of that equipment. The exemption would be equal to the assessed value of the equipment. It can be expanded to wind turbines.

The deadline for warrant articles is January 08, 2019. The deadline for a warrant article for a bond is January 04, 2019 due to public hearing requirements.

Fire Gear: Chief Cresta stated they purchased new gear from the Fire Department budget and they were trying to get some of the money back from Primex. Even though the coverage is \$10,000 Primex hasn’t responded. Chief Cresta stated his budget is short on trying to get new equipment. K. Anderson clarified that the damaged equipment has been replaced. As a result, funding isn’t available to replace other equipment as planned. Funds are available through the Health Insurance line because the two Lieutenants weren’t hired as planned.

K. Anderson will follow-up with Primex.

MOTION: P. Sanderson moved to approve the transfer of \$10,000 from Firefighter Health Insurance to Firefighter Equipment Replacement. Second – C. Hussey; all in favor. MOTION CARRIED

IV. ACCOUNTS PAYABLE – THURSDAY, NOVEMBER 15, 2018

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1. Payroll Manifest 23

MOTION: P. Sanderson moved to approve Payroll Manifest 23 in the amount of \$56,492.21. Second – C. Deorocki; all in favor. MOTION CARRIED

2. General Fund Manifest 26

MOTION: P. Sanderson moved to approve General Fund Manifest 26 in the amount of \$106,740.29. (\$75,897.88 - transfer to Library Capital Project). Second – J. Rolston; all in favor. MOTION CARRIED

3. Capital Fund - Library Manifest 02

MOTION: P. Sanderson moved to approve Capital Fund - Library Manifest 02 in the amount of \$176,224.15. Second – J. Rolston; all in favor. MOTION CARRIED

V. NON-PUBLIC

1. Personnel [RSA 91-A:3, II(c)]

MOTION: P. Sanderson moved to enter into non-public session at 7:55 p.m. Roll call vote; all in favor. MOTION CARRIED

MOTION: P. Sanderson moved to return to public session at 8:15 p.m. Roll call vote; all in favor. MOTION CARRIED

VI. ADJOURNMENT

MOTION: P. Sanderson moved to adjourn at 8:15 p.m. Second – C. Deorocki; all in favor. MOTION CARRIED

NEXT MEETING

Monday, November 26, 2018 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: 