



**BOARD OF SELECTMEN**  
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**MINUTES OF THE BOARD OF SELECTMEN**

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Monday, March 18, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chester Deorocki, Chip Hussey, Rick Hussey, Jim Rolston, Steve Smith

Also Present:

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Vice Chair Rolston 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.

1. Reorganization of the Board

Vice Chair Rolston introduced S. Smith and R. Hussey as the new members to the Board. He thanked them for running and wished them the best in their “reign of terror” on the Board. Vice Chair Rolston also stated there would be a new Town Administrator and asked residents to have a little bit of patience over the next few weeks as people learn things. He hoped things would work out well.

MOTION: J. Rolston moved to nominate C. Hussey as Chairman of the Board of Selectmen. Second – R. Hussey; four in favor, one abstain (C. Hussey). MOTION CARRIED

MOTION: R. Hussey moved to nominate C. Deorocki as Vice Chairman of the Board of Selectmen. Second – S. Smith; four in favor, one abstain (C. Deorocki). MOTION CARRIED

MOTION: C. Hussey moved to nominate R. Hussey as the Budget Committee Representative. Second – J. Rolston; four in favor, one abstain (R. Hussey). MOTION CARRIED

MOTION: R. Hussey moved to nominate S. Smith as the Planning Board Representative. Second – J. Rolston; four in favor, one abstain (S. Smith). MOTION CARRIED

Chair Hussey stated that he had a problem using liaisons; there has always been a communication problem and it didn’t seem to solve anything. To improve communication between Selectmen, Town employees, Boards, department heads, Trustees, Committees, Commissions and even the School, he proposed to eliminate the Selectmen as liaisons and have the Town Administrator as the contact. The Town Administrator would direct any concerns to the entire Board. It was Chair Hussey’s hope that the entire Board would be aware of any problems or concerns, and not be caught off guard when asked questions by a resident. He would also like to get the School on board; J. Rolston thought that it was worth a try.

MOTION: J. Rolston moved to adopt the “no liaison policy”; it can be revisited at any time. Second – R. Hussey

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Discussion: Chair Hussey stated that it can be revisited at any time if it falls apart. C. Deorocki felt that emergency services needed a “go to” person on the Board in case of emergency. He has talked to a lot of the department heads; most people said they wanted it. Police and Fire made a good story for it: confidentially and just a “go to” person. C. Deorocki also felt department heads should have a “go to” person on the Board, not necessarily a liaison but some kind of representative. He felt Selectmen should be at every meeting (Rec, Budget, Conservation). Did that go away if the liaisons went away? Chair Hussey responded “no”; C. Deorocki asked who decided who went where. The response: we do. C. Deorocki suggested “tweaking” it and not getting rid of it. It needed to be tweaked a little bit. Chair Hussey responded that he basically wanted a liaison to the whole Board. C. Deorocki stated the Board definitely needed more communication; liaisons didn’t work before and didn’t go both ways. That’s the way it was and now is a different day.

Chair Hussey suggested continuing the discussion to the next meeting. C. Deorocki was okay with that. S. Smith added that if the Selectmen sat down and looked at what Boards and Commissions were doing, the liaisons could be reorganized to look closer at certain points. Chair Hussey felt public safety would be easier because they are basically daytime as is the Town Administrator; the Board is basically evening. C. Deorocki stated if there was a fatality in the middle of the night in a car accident, Selectmen should be notified. The Chief of Police should have one “go-to” person in the chain of command whether it was the chairman by default and then down the line, or a representative. He also didn’t like the term “liaison”. Chair Hussey suggested it be tweaked further at the next meeting, but for now wanted it to go through the Town Administrator. He was willing to listen if the Board had a better idea.

MOTION: J. Rolston moved to adopt the “no liaison policy”; it can be revisited at any time. Second – R. Hussey; all in favor. MOTION CARRIED

### I. PUBLIC HEARING

#### 1. Acceptance of Donation to Fire Department

The Fire Department received a donation from Boston Latin School in the amount of \$50 in memory of Lorraine Langton Brackett.

MOTION: J. Rolston moved to open the public hearing. Second – S. Smith; all in favor. MOTION CARRIED

There were no comments from the public.

MOTION: J. Rolston moved to close the public hearing. Second – C. Deorocki; all in favor. MOTION CARRIED

MOTION: S. Smith moved to accept the donation from Boston Latin School in the amount of \$50 in memory of Lorraine Langton Brackett. Second – R. Hussey; all in favor. MOTION CARRIED

### II. APPOINTMENT

#### 1. Conservation Commission Appointment: Laura Byergo

Laura Byergo was not present. She is currently a member of the Conservation Commission and has requested to be reappointed. Her appointment expires in 2022.

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MOTION: J. Rolston moved to reappoint Laura Byergo to the Conservation Commission; her appointment would expire in March 2022. Second – R. Hussey; all in favor. MOTION CARRIED

### III. APPROVAL OF MINUTES

#### 1. Monday, March 04, 2019

J. Rolston questioned a contradiction in the minutes and a letter given to the Planning Board dated October 04, 2018 from Chief Laurent. When asked at the meeting on Monday, March 04, 2019 about the number of accidents in the Library/Parish House area in the last five years due to parking, Chief Laurent responded “two serious accidents and some small ones, but many misses”. In her letter to the Planning Board dated October 04, 2018, Chief Laurent stated “As a knowledge base to offer an opinion, I was present for the original architectural “unveiling”/explanation of the proposed library expansion in 2017 and have reviewed “artist renditions”/“mock-ups” of same. I have reviewed police records of crashes at/directly in front of/involving the entering or exiting of 36 Post Road (of which there are none in the past five (5) years)”.

Coleen Penacho, Tidewater Farm Road, stated that it may be a contradiction but didn’t change the minutes; C. Deorocki was in agreement. J. Rolston agreed, but wanted to bring it to the Board’s attention. Chair Hussey asked that the statements read by J. Rolston be included in the minutes for the record and follow up.

MOTION: C. Deorocki moved to approve the minutes of Monday, March 04, 2019. Second – J. Rolston; three in favor, two abstain (R. Hussey, S. Smith). MOTION CARRIED

### IV. OLD BUSINESS

#### 1. Coakley Update

There was no update available.

#### 2. Weeks Library Trustees

Marcia McLaughlin, 47 Nantucket Place, addressed the Board. The Library Trustees requested to be on the agenda. Materials were emailed to the Secretary of the Boards and will be available at the next meeting. The materials contain more background information on the cy pres petition and the necessity for quiet title action in order to clear the title for the Library property.

Liz Cummings, Bookkeeper, issued a check report to Denise Grimse, Library Director. M. McLaughlin, on behalf of D. Grimse, asked for a check report for the year as well as monthly in 2019. L. Cummings responded that she had provided information for the year; they started with the bond in October 2018. The Library receives a quarterly check from the General Fund for the money that is approved in the budget.

M. McLaughlin stated that the Library Trustees would be requesting a listing of all payments approved by the Trustees of the Trust Funds. C. Penacho clarified that the Trustees of the Trust Funds do not approve payments; they are not agents. They make payments based on approval by the agents of the fund. M. McLaughlin corrected that they will request a listing of payments made by the Trustees of the

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Trust Funds. The Library Trustees, as co-agents on the Capital Reserve Fund, have not always seen the bills submitted for payment from that fund.

M. McLaughlin continued there was an invoice to be approved and paid from the bond, not the Capital Reserve Fund. The invoice in the amount of \$3,914.83 was paid from the General Fund. L. Cummings stated that she received a memo from Karen Anderson to prepare a manifest from the Library Project Fund Account to reimburse the General Fund in that amount.

M. McLaughlin questioned the Treasurer's Annual Report showing an expenditure from the bond; L. Cummings suggested she talk to the Treasurer. M. McLaughlin was unaware of any expenditures; L. Cummings responded that there hasn't been any according to the Library Expansion Account. Chair Hussey noted there was a payment made from the bond money that was approved by the Board; it was brought it back to the Board for further review and the check was mailed. L. Cummings stated that the money has gone out but there has been no money taken from the bond in the accounting line. It has come from the Library Expansion Account for payment purposes, not accounting. She added that where the money comes from has been bouncing around.

M. McLaughlin asked the Selectmen to relay the urgency of the cy pres petition and quiet title to the Town Attorney in order to move the Library forward.

### 3. Other Old Business

C. Deorocki informed the Board that tree removal has started on Water's Edge.

## V. NEW BUSINESS AND ADMINISTRATIVE

### 1. MS-232: Report of Appropriations Actually Voted

The MS-232 Report is due 20 days after Town Meeting, and is the report of the appropriations actually voted. Appropriations actually voted are \$5,012,134. A substantial amount is offset by revenue; however, the revenues won't be updated until September 01.

MOTION: C. Deorocki moved to approve the MS-232 Report of Appropriations Actually Voted. Second – S. Smith; all in favor. MOTION CARRIED

### 2. Abatements

Three abatements have been received from the assessor.

- 59 Ridgecrest Drive, Map R2, 45: not recommended by the assessor.

MOTION: C. Deorocki moved to deny the abatement for 59 Ridgecrest Drive, Map R2, 45, as recommended by the assessor. Second – J. Rolston; all in favor. MOTION CARRIED

- 1 Hayfield Court, Map R16, 3D: recommended by the assessor in the amount of \$404.

MOTION: C. Deorocki moved to grant the abatement for 1 Hayfield Court, Map R16, 3D, in the amount of \$404 as recommended by the assessor. Second – J. Rolston; all in favor. MOTION CARRIED

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- 46 Barrett Farm, Map R16, 3L: recommended by the assessor in the amount of \$546.

MOTION: C. Deorocki moved to grant the abatement for 46 Barrett Farm, Map R16, 3L, in the amount of \$546 as recommended by the assessor. Second – J. Rolston; all in favor. MOTION CARRIED

### 3. Solar Exemptions

Solar exemptions were approved at Town Meeting on Tuesday, March 12, 2019, by a vote of 527 to 362. This will provide for an optional property tax exemption from the property's assessed value if equipped with solar energy systems intended for use at the immediate site. The property tax exemption shall be in the amount equal to 100% of the assessed value of the qualifying solar energy system equipment under RSA 72:27-a. The Board can anticipate several more applications. The deadline for 2019 taxes is April 15, 2019.

- The resident at 19 Palm Drive, Map R17, 14, qualifies for the Solar Exemption Credit at 100%.

MOTION: S. Smith moved to approve the Solar Exemption Credit for the resident at 19 Palm Drive, Map R17, 14 at 100%. Second – R. Hussey; all in favor. MOTION CARRIED

- The resident at 2 Allen Farm Lane, Map R11, 46, qualifies for the Solar Exemption Credit at 100%.

MOTION: S. Smith moved to approve the Solar Exemption Credit for the resident at 2 Allen Farm Lane, Map R11, 46 at 100%. Second – R. Hussey; all in favor. MOTION CARRIED

- The resident at 56 Niblick Lane, Map R4, 19, qualifies for the Solar Exemption Credit at 100%.

MOTION: S. Smith moved to approve the Solar Exemption Credit for the resident at 56 Niblick Lane, Map R4, 19 at 100%. Second – R. Hussey; all in favor. MOTION CARRIED

### 4. Application for Tuition Reimbursement

Wayne Young, Police Department, has applied for tuition reimbursement. Karen Anderson recommended reserving \$600 from the 2019 budget, contingent upon him passing the course which runs April 08, 2019 through June 30, 2019.

MOTION: J. Rolston moved to approve the tuition reimbursement application from Wayne Young in the estimated amount of \$600, contingent upon him passing the course. Second – C. Deorocki; all in favor. MOTION CARRIED

### 5. Application for Employment

Brandt Pace has applied for the position of substitute Transfer Station Attendant.

MOTION: C. Deorocki moved to approve hiring Brandt Pace for the position of substitute Transfer Station Attendant. Second – S. Smith; all in favor. MOTION CARRIED

6. Annual Easter Egg Hunt

The Community Congregational Church has requested its annual Easter Egg Hunt to be held on the Green on Saturday, April 13, 2019, at 10:00 a.m.; set up will be at 9:00 a.m. They will need to coordinate with the Police, which is required because they meet at the School or Parish House and cross Post Road to the Green.

MOTION: J. Rolston moved to approve the annual Easter Egg Hunt to be held on Saturday, April 13, 2019 at 10:00 a.m. on the Green. They will need to coordinate with the Police, which is required because they meet at the School or Parish House and cross Post Road to the Green. Second – S. Smith; all in favor. MOTION CARRIED

7. Easter Sunrise Service

The Community Congregational Church has requested permission for the Easter Sunrise Service to be held at the Band Stand on Sunday, April 21, 2019 at 6:15 a.m.; their second choice would be the Gazebo. This is done annually.

MOTION: S. Smith moved to approve the annual Easter Sunrise Service to be held at the Band Stand, with the second option of the Gazebo, on Sunday, April 21, 2019, at 6:15 a.m. Second – J. Rolston; all in favor. MOTION CARRIED

8. Other New Business

- Supervisor: Chair Hussey presented a motion to reaffirm the Town Administrator as the supervisor for the following Town employees: Maintenance Supervisor, Road Agent, Bookkeeper, Secretary to the Boards and Building Inspector. There needs to be an individual who is available during the day that can give direction to employees and coordinate with the Selectmen.

MOTION: C. Hussey moved to affirm the Town Administrator as the supervisor for the following Town employees: Maintenance Supervisor, Road Agent, Bookkeeper, Secretary to the Boards and Building Inspector. Second – C. Deorocki; all in favor. MOTION CARRIED

C. Penacho asked if the Building Inspector was he told he reports to the Town Administrator when he was hired. Does he have an employment contract? Does he report to the Board? Chair Hussey responded that he really doesn't report to anyone; no one does.

- Personnel Policy: Chair Hussey stated that if a department head has to discipline a subordinate, the Board of Selectmen must get involved in every single action. He felt the Selectmen should be involved when someone was suspended. He recommended that the Board review the Personnel Policy.

Chair Hussey stated he would like to be informed with a confidential email that an employee was disciplined. L. Cummings pointed out that should be done in a non-public session under RSA 91:a and not through an email. Chair Hussey responded it could also be done in a confidential memo in a sealed envelope.

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- Recognition: J. Rolston recognized the Board Secretary for assisting the Board of Selectmen after her mother passed away last week. She made herself available and went out of her way to help the Board. He noted the Board's appreciation.
- Use of Town Funds: Chair Hussey stated that apparently there was a complaint filed about electioneering and the use of Town funds. Anything leaving the Town (bulletins, mailers, etc.) should be approved by the Board of Selectmen if using Town funds. Chair Hussey recommended the Board work on a policy. C. Deorocki stated he would like to find out what exactly happened, how it exactly happened, and what was going to be done to make sure it doesn't happen again. Period. That's how it needs to work in his opinion.
- Cumberland Farms Sidewalks: After checking with the Building Inspector, Chair Hussey informed the Board the sidewalks in front of Cumberland Farms are the Town's responsibility to clear. He will speak to the Property Maintenance Supervisor.
- Transfer Station Road: J. Rolston would like the road out of the Transfer Station taken care of; there are big holes in the road. C. Deorocki added that cold patch would be done this week; J. Rolston noted it was done last week also.
- Chair Hussey addressed those present: he was glad to see people at the Board of Selectmen's meeting and participate. The Board is committed to following the law even when they personally disagree with the project. They continue to believe that the voter's vote counts; that's important to the Board and they're not going to ignore the voters themselves. The Board is also dedicated to repairing the Town's infrastructure that's been left to wear and tear. This Board will work with the PDA, not fight with them. And, yes, the Board still has to work for clear water in Town. The Board will work hard not to fail.

C. Penacho stated that she appreciated the new Board members stepping up to volunteer for the Town. She also appreciated that the Board wanted to move forward with what the voters voted for. She asked the Board if they believed they were the stewards of the Town money. The voters have to decide what projects move forward if they don't have the knowledge or time to decide how to move forward and make sure they're safe. She assumed the Board believed they were the stewards to do that; it was mentioned in the speech. Was that the role of this Board? C. Deorocki and R. Hussey responded they believed they were the stewards, with R. Hussey adding that while working for the federal government he was the steward of their money which was the taxpayer's money; it would happen here also.

- Tracking of Library Bond Expenses: L. Cummings asked the Board how they wanted to track the Library expansion expenses: should they come from the Library Expansion Fund or stay in the General Fund. It can go to the Library Fund or stay in the General Fund; if it stays in the General Fund, that can't be used as a reason the budget was over expended. L. Cummings has been taking it from the Consultant's line; she asked the Board for guidance. There was a discussion about funds coming from the Planning Board Consultant's line or the Town's Consultant's line. The Legal review was taken from the General Legal Review line. It's a capital project, not just a building project, and has to be accounted for differently. J. Rolston and M. McLaughlin agreed that the Planning Board stated they would pay their consultant's fee. L. Cummings stated that there is a line for the Planning Board consultant and another for Town consultants; right now it was coming from the Town consultants. Chair Hussey stated the Planning Board would need to decide which consultant was paid from their budget; the Selectmen did not choose or authorize that. The Board Secretary noted



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that the Planning Board did not authorize payment to 7C Consulting and it was never discussed at a Planning Board meeting. This item was continued until it could be discussed and clarified at a Planning Board meeting.

L. Cummings stated there are several Library invoices that have been charged to the Capital Reserve Fund. There is a check in the safe from the Trustees of the Trust Funds that should have funded a portion of the money from the Capital Reserve Fund. Because the Library Trustees didn't give their approval, what would the Board like done? Chair Hussey asked her to give the Library Trustees a list and include what it was for; it was after the bond was issued and the Selectmen spent money without being authorized. The Trustees of the Trust Funds were asked to reimburse the Town, which they did with the check that's in the safe. M. McLaughlin added that there hasn't been a bill presented by the Library Trustees to the Selectmen since the bond was issued that they requested be paid from the Capital Reserve Fund. They requested all bills be paid from the bond. L. Cummings explained that based on the original warrant article, the Library Trustees and Board of Selectmen have to approve the expenditure. The Library Trustees didn't authorize the bills to be paid from the CRF.

L. Cummings, speaking as a member of the public, asked M. McLaughlin why the Library Trustees was saving the \$670,000. M. McLaughlin responded that is the one over which they have discretionary power because it's joint. If there should be any funds remaining at the end of the project and it's only bond money, the Selectmen can choose to spend it however they want. L. Cummings stated "no, they can't; not bond money". M. McLaughlin commented that was what Optima Bank had told her. L. Cummings explained that a warrant article for a particular Library expansion can be spent on nothing but that Library expansion; that's what warrant articles do.

L. Cummings stated that she was mad at the process that has been going on for months. She was one part-time bookkeeper and spent a lot of time trying to figure out what the Boards want. Addressing the Library Trustees, she requested that in their new spirit of cooperation they cooperate with the Board, please.

Chair Hussey asked L. Cummings for the dollar amount in question.

### VI. ACCOUNTS PAYABLE – THURSDAY, MARCH 21, 2019

#### 1. Payroll Manifest 06

MOTION: J. Rolston moved to approve Payroll Manifest 06 in the amount of \$56,429.70. Second – R. Hussey; all in favor. MOTION CARRIED

#### 2. General Fund Manifest 06

MOTION: C. Hussey moved to approve General Fund Manifest 06 in the amount of \$454,959.67 (School - \$180,000). Second – J. Rolston; all in favor. MOTION CARRIED

#### 3. Capital Fund - Library Manifest 02

MOTION: C. Hussey moved to approve Capital Fund – Library Manifest 02 in the amounts of \$3,914.83 and \$8,094.62. Funds are to be taken from the bond proceeds. Second – J. Rolston; all in favor. MOTION CARRIED



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### 4. Ambulance Special Revenue Fund Manifest 01

MOTION: C. Hussey moved to approve Ambulance Special Revenue Fund Manifest 01 in the amount of \$64,500. Second – J. Rolston; all in favor. MOTION CARRIED

### VII. NON-PUBLIC

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

MOTION: J. Rolston moved to enter into non-public session at 8:04 p.m. Second – R. Hussey; all in favor. MOTION CARRIED

MOTION: R. Hussey moved to return to public session at 8:30 p.m. Second – S. Smith; all in favor. MOTION CARRIED

### VIII. ADJOURNMENT

MOTION: R. Hussey moved to adjourn at 8:30 p.m. Second – S. Smith; all in favor. MOTION CARRIED

### NEXT MEETING

Monday, April 04, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: 