



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, April 29, 2019 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chester Deorocki, Chip Hussey, Rick Hussey, Jim Rolston, Steve Smith
Also Present: Matt Scruton - Town Administrator

Chair Hussey 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.

I. APPOINTMENT

1. Conservation Commission Appointment – Joe Russell

Joseph Russell has requested appointment to the Conservation Commission. His term will expire March 2021.

MOTION: J. Rolston moved to appoint Joseph Russell, 7 Witham Farm Road, to the Conservation Commission. His term will expire March 2021. Second – R. Hussey; all in favor. MOTION CARRIED

2. Van Etten Drive Open Space Concerns

M. Scruton updated the Board that letters had been received requesting that some of the plantings on Van Etten Drive remain on Town property. If not allowed to remain, the homeowners would like more time to remove the plantings; they are recommending fall. M. Scruton recently reviewed the property with Chair Hussey and Laura Byergo, Conservation Commission Chairman, and took pictures of the area. His recommendation was to let the plantings remain even though they're on Town-owned land, with the understanding that permission must be granted by the Board of Selectmen and the Conservation Commission for any future plantings.

R. Hussey stated that the Board encouraged, not discouraged, residents to help the Conservation Commission. If residents wanted to volunteer or make a donation, they should contact L. Byergo. He had no problem with the location of the plantings.

C. Deorocki stated that he looked at the plantings and they're over the property line. As much as he hated to say this, even if they were going to take care of them, it's an encroachment over land. If a neighbor puts a fence up 3' on your property, it's not right; it should be moved back where it belongs. He thought what was right was they should be moved in the fall. It sets precedent, lines get blurred, property gets sold, and all the sudden "we thought those were our bushes and that's the property line, we've been taking care of that for so long". He would grant an extension; that was how he felt. That's what's right, unfortunately.

Peter Brown, 20 Van Etten Drive: They were just going to let the bushes grow up to become part of the meadow. New bushes will not be planted in the back and they'll leave those where they are. The

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bushes are having a tough time surviving in that environment; most of the top soil was scraped away. Some of them have been there for four years and they're just now starting to look good. The Brown's would gift them to the Town. C. Deorocki stated he would accept it as a gift with the knowledge that for any further plantings, the property lines must be located. As a gift to the Town, C. Deorocki stated he would go along with the motion; thank you.

MOTION: R. Hussey moved to allow the plantings to remain on Town-owned land adjacent to 18 and 20 Van Etten Drive with the understanding that the Board of Selectmen must grant permission for any additional plantings by residents. In addition, the area must not be maintained by the homeowner. Second – S. Smith; all in favor. MOTION CARRIED

Barry Posternak, 18 Van Etten Drive: Clarified that the junipers he planted were included in the motion; he didn't want there to be a misunderstanding. M. Scruton stated that the motion was for 18 and 20 Van Etten Drive.

II. APPROVAL OF MINUTES

1. Wednesday, March 20, 2019

MOTION: C. Deorocki moved to approve the minutes of Wednesday, March 20, 2019. Second – R. Hussey; all in favor. MOTION CARRIED

2. Monday, April 15, 2019

MOTION: C. Deorocki moved to approve the minutes of Monday, April 15, 2019. Second – R. Hussey; all in favor. MOTION CARRIED

III. OLD BUSINESS

1. Coakley Update

There was not a Coakley update.

2. Weeks Library Update

The Board received a copy of the communication between the Town Attorney, Peter Loughlin, and the Library's attorney, Derek Durbin. In that communication, Attorney Durbin suggested that Scott LaPointe be appointed as Guardian Ad Litem (an objective and impartial person that can represent the Library).

MOTION: J. Rolston moved to appoint Scott LaPointe as the Guardian Ad Litem. Second – S. Smith; all in favor. MOTION CARRIED

At the last meeting, the Board approved submitting the Proposed Order and Petition to Quiet Title. Attorney Durbin and a court clerk recommended the Town combine the Cy Pres and Quiet Title requests into one petition; Attorney Loughlin agreed.

MOTION: J. Rolston moved to approve the Proposed Order and Petition to Quiet Title as prepared by Attorney Loughlin. Further, Chairman Hussey is authorized to sign the Petition to Quiet Title. Second – S. Smith; all in favor. MOTION CARRIED

3. Families First Buses

The Board requested that M. Scruton contact Families First about the bus parking at the Maintenance Building. He drafted a contract for Families First to review. They have agreed to all terms, which include installing an electrical meter, socket and wiring; it will become Town property. In addition, they agreed to have the billing go directly to them.

MOTION: C. Deorocki moved to authorize Chairman Hussey to sign the bus parking agreement with Families First. Second – J. Rolston; all in favor. MOTION CARRIED

M. Scruton noted that Families First would be willing to pay the past electrical bills. He indicated to Families First that the Board was looking more to the future than the past. Previous electric bills would total approximately \$2,000 to \$3,000. J. Rolston stated he would rather it be an act of goodwill towards Families First. M. Scruton added that the Town didn't send them bills during that period of time. C. Deorocki stated this was the agreement that was supposed to be honored from the "get go". So rectify the situation, today's a new day.

4. Other Old Business

There was no other old business to discuss.

IV. NEW BUSINESS AND ADMINISTRATIVE

1. Video Streaming Meetings

Video streaming of meetings has been discussed in the past. C. Deorocki has indicated there might be interest among the Board to stream the meetings via the internet. M. Scruton located a town that uses the same service; the cost is approximately \$250 per month for the Town of York according to the news article he shared with the Board. C. Deorocki stated it was absolutely time; the public should be able to go to some sort of media outlet and see these words, hear these words, coming out of my mouth, not this one (pointing to the recorder). Not read it; see it. There's no garble, there's no "I don't know who said that; that sounded like him". It's almost 2020; everything's on tape. In his honest opinion, if you don't like this, you have something to hide and you shouldn't be in public office. That's the way he sees it; honest, straight up. C. Deorocki added he sent an email to the owner of the company and is waiting to hear back from him; he'd like him to come to do a presentation. M. Scruton stated he had reached out to the company as well and hasn't heard back. C. Deorocki told the owner last year the Town would be waiting until the new Board came in, got situated and take it from there; he has been in contact with him.

Chair Hussey asked if the equipment could be moved to another site for a meeting (example: meeting at the school), and if there was an additional charge. He added he'd love for the School Board to be included.

Marcia McLaughlin, 47 Nantucket Place: Asked if only the Selectmen's meeting were being discussed. Chair Hussey responded that each elected Board would have to make that decision. Residents could decide with a vote; the Selectmen couldn't. C. Deorocki added it was transparency.

J. Rolston clarified that two separate companies were being discussed. M. Scruton responded that there were many companies that offer video services with different options. The company C. Deorocki is interested in is web-based and located in York. C. Deorocki stated he would like to see all the Boards on board with it. J. Rolston would like him to demonstrate the quality. C. Deorocki thought they should be

able to watch another meeting; you can also watch meetings on Town Hall Streams. M. Scruton will arrange a presentation to the Board for the next meeting.

2. Public Comment Section at Board of Selectmen Meetings

At the last meeting, the Board received information about public comments; additional information was included in the Selectmen's informational packet. Some towns use the public comment section to allow the public a specific time to speak. Other towns allow the public the opportunity to speak to the Board at any time after being recognized, which is how Greenland currently manages public comments. Referring to Selectmen's meetings, the public has the right to attend but not necessarily speak unless recognized. A public comment section would allow the public to be formally recognized without having to do it under "Other Business".

J. Rolston stated he liked how it was currently being done. When the Board is discussing a subject, the people involved have a chance to speak and not wait until the end of the meeting. C. Deorocki stated it was brought up as food for thought if the Board wanted to make any changes. Chair Hussey added that if it was something controversial, it may be good to implement it at that meeting especially if there's a large group. M. Scruton stated it could be on the agenda one week and off the next. Guidelines would need to be set for speaking (for example three to five minutes), speakers would need to be respectful, it must pertain to Town business, etc. Currently, the Town has no written guidelines. C. Deorocki stated he thought they should write some and volunteered, stating if we come out of this with guidelines, that's a win for everybody. M. Scruton added that it's important to recognize that if public comments are allowed, speakers have the freedom of speech, for better or worse, as long as they're following the guidelines.

M. Scruton will research public comment policies for other towns. He and C. Deorocki will provide input on policy ideas for the Board to review.

3. Network Upgrade

M. Scruton updated the Board that the connection speed at the Town Hall is very slow. After researching, he found that the network plan has not been updated since 2008. Technology has changed since that time. The current Comcast plan allows for a download speed of 25mb per second which is very slow; the Town Hall's connection is shared with the Fire Department. M. Scruton recommended upgrading the plan to allow for more bandwidth. Comcast's 300/25 plan has 300mb download/25mb upload; if the Town is looking at streaming meetings, the increased speed will be very beneficial. The cost will be an additional \$137 per month. The Town's IT Specialist indicated it would be beneficial for speed and "cloud" backups because of the number of users. M. Scruton added that the assessing software will be hosted in the "cloud".

Dennis Malloy, Van Etten Drive: Asked if it was typically negotiated when the Town did the contract with the cable company. M. Scruton and Chair Hussey responded that Greenland was separate; the Town's contract was for one year. M. Scruton will contact Comcast.

Chair Hussey asked M. Scruton to check with the IT Specialist on the network being shut down at a certain time and coming back up in the morning.

MOTION: C. Deorocki moved to approve the upgrade in the Comcast network plan for the Fire Department and Town Hall. Second – S. Smith; all in favor. MOTION CARRIED

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4. Memorial Day: Monday, May 27, 2019

There is a Board meeting scheduled for Monday, May 27, 2019, which is Memorial Day. The meeting will be changed to Tuesday, May 28, 2019 at 7:00 p.m.

MOTION: C. Deorocki moved to change the Board of Selectmen meeting to Tuesday, May 28, 2019. The Bookkeeper has the authority to submit payroll on Tuesday morning, May 28, 2019. Second – J. Rolston; all in favor. MOTION CARRIED

5. Current Use Releases

A number of current use releases for Seavey Way were presented to the Board for approval as well as one on Portsmouth Avenue.

MOTION: J. Rolston moved to approve the current use release for 26 Seavey Way – Map R1, 10C, in the amount of \$17,500. Second – R. Hussey; all in favor. MOTION CARRIED

MOTION: J. Rolston moved to approve the current use release for 48 Seavey Way – Map R1, 10F, in the amount of \$17,500. Second – R. Hussey; all in favor. MOTION CARRIED

MOTION: J. Rolston moved to approve the current use release for A Seavey Way – Map R1, 10A, in the amount of \$17,500. Second – R. Hussey; all in favor. MOTION CARRIED

MOTION: J. Rolston moved to approve the current use release for G Seavey Way – Map R1, 10G, in the amount of \$17,500. Second – R. Hussey; all in favor. MOTION CARRIED

MOTION: J. Rolston moved to approve the current use release for K Seavey Way – Map R1, 10K, in the amount of \$17,500. Second – R. Hussey; all in favor. MOTION CARRIED

M. Scruton updated the Board regarding 1088 Portsmouth Avenue. The assessor submitted a letter indicating the property was no longer eligible for current use status. J. Rolston noted there had been problems in the past with the previous owner. M. Scruton and the Building Inspector made a site visit and spoke to the property owner regarding zoning concerns. M. Scruton told the property owner that as a result of encroaching over the zoning boundary (also the current use boundary) the property may come out of current use. Penalties were not discussed; he was told that it may be taken out of current use even if the encroachment was corrected. Chair Hussey stated they were grossly over the boundary. M. Scruton has discussed the issue with the Town Attorney.

MOTION: J. Rolston moved to approve the current use release for 1088 Portsmouth Avenue – Map R11, 31, in the amount of \$60,000. Second – S. Smith; all in favor. MOTION CARRIED

6. Other New Business

L. Byergo told the Board that Alan Eves has redone the bench at Rolston Park. He also added a plaque acknowledging his donation of the bench to the Town in memory of his niece. L. Byergo asked J. Rolston and Chair Hussey to do a picture with A. Eves; J. Rolston stated he would be happy to that.

M. Scruton announced there was a part-time groundskeeper position available. Applications are being accepted in Town Hall. There are no benefits and the rate of pay is \$15 per hour; applicant must be comfortable operating lawn equipment.

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V. ACCOUNTS PAYABLE – THURSDAY, MAY 02, 2019

1. Payroll Manifest 09

MOTION: J. Rolston moved to approve Payroll Manifest 09 in the amount of \$57,309.8281. Second – C. Deorocki; all in favor. MOTION CARRIED

2. General Fund Manifest 09

MOTION: J. Rolston moved to approve General Fund Manifest 09 in the amount of \$279,780.57 (School - \$225,000). Second – C. Deorocki; all in favor. MOTION CARRIED

VI. NON-PUBLIC

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

MOTION: Chair Hussey moved to enter into non-public session at 7:40 p.m. Second – S. Smith; Roll Call – S. Smith, yes; C. Deorocki, yes; R. Hussey, yes; J. Rolston, yes; Chair Hussey, yes. MOTION CARRIED

MOTION: J. Rolston moved to return to public session at 7:53 p.m. Second – R. Hussey; Roll Call – S. Smith, yes; C. Deorocki, yes; R. Hussey, yes; J. Rolston, yes; Chair Hussey, yes. MOTION CARRIED

VII. PUBLIC SESSION

A change in job titles to two positions was approved by the Board.

MOTION: R. Hussey moved to change the title of the Board Secretary to Administrative Assistant. Second – S. Smith; all in favor. MOTION CARRIED

MOTION: J. Rolston moved to change the title of the Bookkeeper to Finance Director. Second – S. Smith; all in favor. MOTION CARRIED

VIII. ADJOURNMENT

MOTION: J. Rolston moved to adjourn at 7:55 p.m. Second – S. Smith; all in favor. MOTION CARRIED

NEXT MEETING

Monday, May 13, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: