



**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**

---

Tuesday, May 28, 2019 – 7:00 p.m. – Town Hall Conference Room

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

<b>I. APPOINTMENT</b>
-----------------------

1. Permission to Hire: Chief Ralph Cresta, Fire Department

Chief Cresta, by phone, requested permission to hire a full-time Firefighter/EMT-A. The candidate has met all the requirements and the background check is complete. Starting pay will be \$20 per hour. The Board will meet the candidate and swearing-in will take place at the Board of Selectmen's meeting on Monday, June 10, 2019.

MOTION: S. Smith moved to approve hiring of a full-time Firefighter/EMT-A at Chief Cresta's discretion. Second – C. Deorocki; all in favor. MOTION CARRIED

2. Recreation Committee Meeting Location, Right to Know Requirements

M. Scruton stated that this topic was scheduled to discuss Recreation Committee meetings and Right-to-Know requirements under RSA 91-A. The Rec Committee Chairman was unable to attend; she has requested that this be moved to the meeting on Monday, June 10, 2019. C. Deorocki agreed they should be present and didn't know if they had enough notice. Chair Hussey responded they had plenty of notice. M. Scruton stated the Rec Committee Chair was notified on Tuesday, May 21, 2019. C. Deorocki stated he would table it for a meeting.

Chair Hussey recommended sending a letter to each committee member explaining the problems and that it was a right-to-know issue. If a request is filed and they don't comply, they will have to deal with the Attorney General's office; Chair Hussey didn't want it to go that far. Minutes have not been received since October 2018. He also had some suggestions for them to consider for their business meetings; those meetings needed to be brought under control quickly.

The Board was in agreement to continue discussion to the meeting on Monday, June 10, 2019.

**II. APPROVAL OF MINUTES**

1. Monday, May 13, 2019

S. Smith requested that under “Old Business”, Item 3 – Road/Paving Update, it be clarified that the Waters Edge road construction is not being done by Bourassa but by Lyman and Sons.

MOTION: S. Smith moved to approve the minutes of Monday, May 13, 2019 as amended for clarification. Second – C. Deorocki; all in favor. MOTION CARRIED

**III. OLD BUSINESS**

1. Coakley Update

M. Scruton reported that the Portsmouth City Council held a workshop meeting with the Coakley Landfill Group on Monday, May 20, 2019. S. Smith and M. Scruton attended that meeting. The Coakley Landfill Group stated the plume is not expanding and they are in the middle of a two year study; however, they will continue to monitor the site.

The EPA would like to use the Conference Room for a meeting with the Selectmen and/or other community leaders who may be interested in discussing the Coakley Landfill site. That will take place on Tuesday, June 04, 2019, between noon and 4:00 p.m., by appointment. If anyone would like to share their concerns with representatives from the EPA, contact M. Scruton to schedule an appointment. The EPA will hold a listening session on Wednesday, June 05, 2019, from 6:00 p.m. to 8:00 p.m. at the Bethany Church on Breakfast Hill Road.

2. Weeks Library Update

M. Scruton informed the Board that an architect’s bill was included in the manifest. Marcia McLaughlin, Library Trustee Chairman and 47 Nantucket Place, stated there was a filing and temporary order issued by the court for the Cy Pres and Quiet Title. The third notice was in the newspaper on Friday, May 24, 2019. M. Scruton stated that, according to legal opinion, there is not a set time when this will be resolved. M. McLaughlin added that their attorney has submitted a motion for the Library Trustees to be named as an intervener with the Board of Selectmen because they have an interest, especially with the Cy Pres.

3. PDA Update

Wednesday, May 15, 2019, M. Scruton testified at the NH State Senate Executive Departments and Administration Standing Committee. A number of other members of the community attended and advocated for Greenland having a seat on the PDA: former Selectman Vaughan Morgan, NH State Representative Dennis Malloy, Planning Board Chairman Rich Winsor, Chief Tara Laurent and former Selectman Paul Sanderson. It passed the NH State Senate Executive Departments and Administration Standing Committee by a vote of 5-0; it’s moving forward. The full Senate needs to vote on the bill; if approved, it would then go to the Governor. If approved, the bill as amended would give Greenland a seat on the PDA and ½ a vote.

Dennis Malloy, NH State Representative and Van Etten Drive, stated it was a good hearing. He commended everyone for their support, adding M. Scruton did a great job speaking about the PFOA’s

and water quality issues; the panel appeared to pay close attention. D. Malloy was hopeful the PDA seat would be put on the “consent calendar” so it would pass the Senate without a specific vote on that bill. Senator Tom Sherman and Senator Martha Fuller-Clark made some great compromises and points to help accomplish what is long overdue. It’s important that individuals are aware of the Selectmen’s support.

4. Town Hall Streams Update

M. Scruton updated the Board that live streaming is moving forward. Eric Spenlinhauer, Town Hall Streams, and Doug Poulin, Town IT Specialist, were in on Thursday, May 23, 2019, to discuss installation options. M. Scruton is hoping it will be ready for the meeting on Monday, July 08, 2019.

5. Public Comment Section of Board Meetings

Some members of the Board have expressed an interest in a public comment section at Selectmen’s meeting. The Board has received a copy of the guidelines used by the Town of Barrington. M. Scruton recommended adding a policy similar to Barrington’s. C. Deorocki added that if they decided to go this route, he would like to have a work session for the whole Board to work on it and bring it to fruition as a Board. Not one person writes it and gets approval from the rest of the members; we all write it together because as Chairman Hussey has reminded us, no power as one only as a Board.

A work session has been scheduled for Monday, June 03, 2019 at 6:30 p.m. C. Deorocki felt the ones from Barrington were good examples; set some guidelines but they’re not in concrete, they’re not set in stone. We can say “okay, you’ve got three minutes”, but continue or not continue. It’s good to have options. Case in point tonight: he knew Mr. Hansler was there to speak. We don’t have a public comment section to speak so he’s sitting in limbo waiting to get called out, in my observation here. So, if we had a public comment section, he didn’t know if more people would come in and feel more comfortable to speak. He thought they would know that they had a platform and a designated time to be heard. And, he thought that was a good thing and went to transparency and the more input the better. The more people that know, the more people that are involved, the better it is.

MOTION: C. Deorocki moved to approve adding a public comment section to Board of Selectmen meetings after the work session. *This motion was not seconded.*

A meeting reminder will be sent to Board members.

6. Other Old Business

There was no “Other Old Business”.

**IV. NEW BUSINESS AND ADMINISTRATIVE**

1. Troiano Contract

The contract with Troiano expired earlier this year. They have been honoring the prior agreement up until the point where they’ve had to wait at Covanta; wait times have been up to a couple of hours. They would like to be compensated for the additional wait time. The Town’s agreement with Covanta requires that everything is brought to their plant without exception. M. Scruton added that a hauler won’t wait in line for extended periods of time for nothing. The proposal is to sign a new contract with

## DRAFT: SUBJECT TO CHANGE

Troiano at their new rate of \$220 per haul plus \$100 per hour after the first 30 minutes of wait time at Covanta.

Covanta contacted M. Scruton that the Town was not in compliance with its agreement; Troiano had been taking waste to other locations because of the wait times. M. Scruton is working to resolve that issue. The Troiano proposal would resolve that and compensate them for wait time. Covanta's contract doesn't expire until 2022. He has asked the Town's attorney to review the Covanta contract for any options based on the extended wait times; Attorney Loughlin has not responded.

Responding to a question from J. Rolston, M. Scruton stated he hasn't contacted Covanta directly about the wait times; he was waiting for legal to see if there was any leverage. M. Scruton thought more recyclable waste was going into the landfill, so there is more waste that is not being recycled; the market in China has fallen out. There could also be plant issues at Covanta; the problem initially started when the plant shut down for a period of time and Troiano had no other option but to go to another location where the wait time was less. Troiano kept going to the other location; Covanta realized that and contacted the Town.

The two year contract with Troiano would likely be effective from January 2019 through January 2021. It can be looked at again in the future or put out to bid. Troiano has had the better contract in the past. The trash was going to a facility near Haverhill. C. Deorocki asked if that facility was Covanta as well. Did we get a bill from another company for receiving all that trash? We just paid the hauling and the waste was free? Where did the trash go and who paid for the disposal of it? M. Scruton responded that he could go through the prior invoices to determine that; he didn't know. C. Deorocki responded that someone had to be paying the disposal fee; he was very curious. M. Scruton will research the payments.

R. Hussey questioned why Troiano didn't contact Covanta about how long they would be shut down. M. Scruton responded there could be a legal case where Troiano could be cited as the responsible party. If Covanta were to hold the Town responsible for approximately \$20,000 in damages (their estimate), the Town could try to pass it on to Troiano because they would be in violation of our contract stating it is to go to Covanta. C. Deorocki: \$20,000 in damages that Covanta did not receive? M. Scruton: that was the estimated lost revenue from the Town not bringing its waste there; Covanta stated they would not pursue that providing the situation is corrected. C. Deorocki: There's \$20,000 of waste out there we didn't have to pay for? M. Scruton: We didn't pay Covanta; who we paid would be a good question. According to Paul Hayden, it happened back in the fall. C. Deorocki questioned how it didn't get caught that we were writing checks in this house, first, to a company we didn't have a contract with. It seems that would be the logical progression of that. We have a contract with Covanta? Response: Yes. C. Deorocki: Only? Anywhere else, we'd be a customer at will.

### 2. Parking on Church Lane

Parking on Church Lane was discussed at a Board meeting on May 07, 2018. It was suggested that a letter be written to the Church Council asking parishioners not to park on that side of the road for safety reasons. It doesn't appear that letter was written. There are some concerns about parking along Church Lane across from the Church; the lawn is being damaged as well as the sprinkler heads. Chief Laurent recommended that if the Board wanted to post that area as no parking, the Town establish a parking ordinance that could be enforced.

How would the Board like to proceed? M. Scruton has not contacted the Church Council. C. Deorocki: attempt to send the letter again. That's what the last Board agreed to. We ask nicely the first time; we

## DRAFT: SUBJECT TO CHANGE

send them a letter. Chair Hussey added that P. Hayden mentioned how far they were parking on the lawn. Chair Hussey suggested some type of fencing to protect the sprinkler head and the flower beds. Members questioned when sprinkler heads were added; Chair Hussey stated it was years ago.

Chair Hussey noted it would be tight getting fire trucks through with parking on both sides of the road. He continued that Church parking is Town property; the green area to the south where the drainage flows is also Town property. He suggested looking at making that a parking area in the future. R. Hussey added it would help with parking for the Library. Chair Hussey suggested that the Building Inspector could look at that using GIS mapping to determine the number of parking spaces. C. Deorocki: What benefit does the Town get? Chair Hussey: It gets the road opened up. C. Deorocki: So does a “no parking” sign for a lot less money, in his opinion. Sounds like we’re going to build a Church parking lot. Chair Hussey: We’re going to build a Library parking lot, too. C. Deorocki: With what funds? From the Library fund? Chair Hussey: Don’t know; don’t know how much it costs. The cart’s before the horse right now. J. Rolston: This is Town; we should provide parking for anyone going to the Church or the Library. Chair Hussey: Going to the gazebo. It is real tight, especially in the winter. S. Smith: The biggest issue is if there is a funeral during the week, the traffic is busier than on a Sunday morning.

The Board was in agreement to send the Church Council a letter.

### 3. Carpeting in Town Hall

The Board received a copy of the estimate to replace carpeting in a portion of the Town Hall. \$5,000 had been budgeted; the estimate was \$4,564.03. The plan is to replace the carpeting in the Town Clerk’s office and Conference Room in next year’s budget. M. Scruton recommended holding off on the carpeting and tabling it until the Board was sure there is an adequate budget to justify the expense. M. Scruton didn’t feel it was an urgent expense and could be postponed. S. Smith asked if, hypothetically, the Board held off for six months would it change the quote. M. Scruton responded it could possibly change the quote. J. Rolston noted there were a lot of expenses coming up.

MOTION: J. Rolston moved to wait on replacing the carpet in the entry, hallway, Building Inspector’s offices, Town Administrator’s office and Assessor’s office until later in the year. Second - C. Deorocki; all in favor. MOTION CARRIED

C. Deorocki stated he would like two more estimates; he didn’t think one was enough.

### 4. LED Lighting in Town Hall

M. Scruton has met with representatives from Affinity LED Lighting and Energy Management Consultants about LED lighting in the Town Hall complex and Police Department. Warrant Article 8 allocated \$24,311 to fund the conversion of the lighting to LED for the Town Office and Police Department. Quotes have been received from both companies for the Police Department and Town Hall complex, which includes this entire building and the space occupied by the Fire Department.

Both quotes are under budget. The Affinity quote was \$22,690; the EMC quote was \$20,469. The EMC quote includes more lights and features. The payment terms of EMC are more beneficial to the Town; payment would be due at the end of the project. They will process all the Eversource incentives and they have a relationship with Eversource which gives them a higher discount. M. Scruton recommended EMC for the project.

## DRAFT: SUBJECT TO CHANGE

MOTION: C. Deorocki moved to approve the installation of LED lighting in the Town Hall complex and Police Department by Energy Management Consultants not to exceed \$24,311. Second – J. Rolston; all in favor. MOTION CARRIED.

### 5. Other New Business

Frank Hansler, 542 Portsmouth Avenue, stated that he would like to help the Town out with the School Department. They approached him for assistance with parts of the leasing program. He understood that the school was one entity and the Town another. F. Hansler did not want to go to the school without guidance from the Selectmen. Pat Walsh, at his last meeting as School Board Chair, asked F. Hansler if he would continue to assist them make choices that would be beneficial. The Business Administrator suggested there would be a committee to handle the deficiencies in the school.

He did not want to talk to the school and offer to help without consulting the Selectmen. He has the experience and knows what should be done. This is an area the Town is going to pay dearly for; he didn't see the expenses they were projecting at \$1.3 million. F. Hansler briefly discussed what was proposed for the boilers as part of the leasing program.

M. Scruton updated the Board that a building permit was issued to the School Department. Time would be of the essence. J. Rolston stated the Board couldn't give their blessing to F. Hansler, other than their own personal, to speak with the school. He didn't think they should get into a contest with the School Board. If P. Walsh had already asked for F. Hansler's help, J. Rolston felt he should go for it. F. Hansler will contact Maria Emory, the School Board Chairman. C. Deorocki stated that help or not, he was here trying; that was important. In the two years he's been in this chair, he didn't think anyone else has come in to ask to donate their time and expertise. C. Deorocki appreciated it; whether it goes anywhere or not, it's appreciated. It's effort; the effort is appreciated, thank you.

Community Revitalization: Chair Hussey stated RSA 79-E allows tax relief for community revitalization. He doesn't see the Town increasing its commercial district; it's not really favorable to take it where there's no water and sewer. Chair Hussey stated that if the telephone building was purchased and revitalized, there could be tax relief for up to five years. Chair Hussey also suggested tax relief for restoring historic buildings if they met certain specifications. C. Deorocki stated he'd be interested in the historic relief, not so much the revitalization; property values are just sky high. If you're going to buy that building, you don't need tax relief. That's his opinion right now; with limited knowledge on the topic, that was his personal opinion. S. Smith, in his opinion, to go with what C. Deorocki stated if someone was going to move into a historic building and revitalize it for another purpose, it would be a worthwhile benefit.

Chair Hussey added that with the revitalization of commercial properties, the goal would be to raise the value of the property. The benefit to the Town would eventually be more tax dollars. M. Scruton added you're not paying for the improvement during that time period. At the end of that time period, there would be a higher assessed value on the property.

Chair Hussey stated there needed to be a way to offset the school's increases, which are approximately \$1 million a year. There was a discussion about historic revitalization; Chair Hussey will research further.

V. ACCOUNTS PAYABLE – THURSDAY, MAY 30, 2019

C. Deorocki questioned the \$2,500 bill for the Library; J. Rolston responded it was because the Building Inspector keeps asking questions. C. Deorocki also questioned the “construction documents”. M. McLaughlin responded they were the continuing requests from the Town’s Building Inspector. That has required additional construction documents. C. Deorocki: We don’t get to see the documents for \$2,500; I’d like to see them. M. McLaughlin: The Building Inspector has all the documents in his office. C. Deorocki: All right, good; that’s excellent. I guess I’ll sign it when I see it.

M. Scruton explained that there were two parts for the Library invoice: the approval and the funding source; should the funds be taken from the bond. The Library is requesting the funds be taken from the bond. According to the legal advice M. Scruton has received, there is the option of taking funds from the Capital Reserve Fund due to the Town vote on the warrant article authorizing the Town to expend the money from the CRF. The attorney felt the right was with the Board to make that determination. That overrides the original CRF agents of that warrant (the Library Trustees and the Board of Selectmen). The new vote overrides the prior authority and gives it solely to the Town to make the decision. The authorization was given by the Town to expend the money from the CRF and the bond. M. Scruton apologized to M. McLaughlin for not having the opportunity to discuss the issue prior to this meeting. The Library Trustees would prefer to have funds come from the bond; when the bond is expended, the CRF will be used.

Chair Hussey asked what the Building Inspector was requesting; M. McLaughlin stated he was being pretty nit-picky. Chair Hussey stated that if he is going by zoning regulations, it would be a problem; he cannot do that. M. McLaughlin stated that the communication has been between the Building Inspector and the architect. Part of the issue is the agreement between the Church and the Library; the Trustees felt that was out of his purview to oversee. Chair Hussey was in agreement. M. Scruton added that legal also felt the Building Inspector was out of his purview on that matter. Chair Hussey stated that the Building Inspector needs to be told to quit spending our tax money. All he should be dealing with is life safety. M. Scruton suggested that if the Board wanted to discuss employee matters, it should be in a non-public session.

C. Deorocki stated that he signed the manifest; he would like to see a copy of the documents with the invoice. M. McLaughlin explained that because of the temporary order from the court, it will probably take the need for a temporary agreement out. The court states that the pre-existing conditions which includes the septic system on the Library property and the pre-existing U-shaped driveway used by the Church and Library, stand as they are. They may not require anything with the Church but they have to wait for the Cy Pres to go through.

1. Payroll Manifest 11

MOTION: J. Rolston moved to approve Payroll Manifest 11 in the amount of \$58,224.66. Second – S. Smith; all in favor. MOTION CARRIED

2. General Fund Manifest 11

MOTION: J. Rolston moved to approve General Fund Manifest 11 in the amount of \$203,919.64. Second – R. Hussey; all in favor. MOTION CARRIED



## DRAFT: SUBJECT TO CHANGE

### 3. Capital Fund - Library Manifest 04

MOTION: R. Hussey moved to approve Capital Fund – Library Manifest 04 in the amount of \$2,521.60. Second – C. Deorocki; all in favor. MOTION CARRIED

MOTION: R. Hussey moved that funds are to be taken from the bond proceeds. Second – J. Rolston; four in favor, one opposed (C. Deorocki). MOTION CARRIED

### VI. NON-PUBLIC

MOTION: S. Smith moved to enter into non-public session at 8:00 p.m. Roll call vote: S. Smith – yes; C. Deorocki – yes; R. Hussey – yes; J. Rolston – yes; C. Hussey – yes. MOTION CARRIED

MOTION: S. Smith moved to return to public session at 8:50 p.m. Roll call vote: S. Smith – yes; C. Deorocki – yes; R. Hussey – yes; J. Rolston – yes; C. Hussey – yes. MOTION CARRIED

MOTION: S. Smith moved to seal the minutes of the non-public session. Second – C. Deorocki; all in favor. MOTION CARRIED

### VII. ADJOURNMENT

MOTION: S. Smith moved to adjourn at 8:55 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

### NEXT MEETING

Monday, June 03, 2019 – Work Session, 7:00 p.m., Town Hall Conference Room

Monday, June 10, 2019 – Regular Meeting, 6:30 p.m. Non-Public, Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Administrative Assistant

Approved: