



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, July 08, 2019 – 6:45 p.m. – Town Hall Conference Room

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

Present: Matthew Scruton - Town Administrator

Also Present: Michele Kaulback – Chairman, Cemetery Trustees; Laura Byergo – Chairman, Conservation Commission

Chair Hussey opened the Board of Selectmen meeting at 6:45 p.m. A roll call was taken; it was announced a quorum was present and the meeting would be live streamed and recorded starting at 7:00 p.m.

I. NON-PUBLIC (6:45 p.m.)

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

MOTION: J. Rolston moved to enter into non-public session at 6:50 p.m. Second – S. Smith; Roll Call Vote: S. Smith – yes, C. Deorocki – yes, R. Hussey – yes, J. Rolston – yes, C. Hussey – yes. MOTION CARRIED

MOTION: C. Deorocki moved to leave non-public session and return to public session at 7:02 p.m. Second – S. Smith; Roll Call Vote: S. Smith – yes, C. Deorocki – yes; R. Hussey – yes; J. Rolston – yes; C. Hussey – yes. MOTION CARRIED

MOTION: J. Rolston moved to seal the minutes of the non-public meeting. Second – C. Deorocki; all in favor. MOTION CARRIED

It was announced to audience members that the meeting was being live streamed. If the red light was on, the meeting was streaming.

Chair Hussey announced that the Board of Selectmen deliberated the appeal by Paul Hayden regarding the decision to terminate his employment as Property Maintenance Supervisor; the appeal was denied. The written decision will be sent to P. Hayden's counsel.

Chair Hussey read a prepared statement apologizing for people being turned away from the meeting on Monday, June 24, 2019 because the seating capacity exceeded what was set by the Fire Department. He concluded by stating that this Select Board was moving toward bringing the Town's parks, athletic fields, and structures up to acceptable standards. Goals, supervision and safety protocols have been established.

II. PUBLIC HEARING (7:00 p.m.)

1. Acceptance of Donation

M. Scruton announced that the Town received an unsolicited donation from the Pattony Foundation in the amount of \$125,000. The Fire Department will receive \$65,000 to purchase gear and the Police Department will receive \$60,000 to purchase a new cruiser. The donation has been researched by the Greenland Police Department and is legitimate. The Police Chief and Fire Chief have been advised to submit their purchase requests to the Board; the expenditures will not be part of the budgeting process. M. Scruton stated the Town is grateful for the donation; however, the purchase should comply with Town policy and the donor's intent.

MOTION: S. Smith moved to accept the donation of \$125,000 from the Pattony Foundation. The Fire Department will receive \$65,000 for the purchase of firefighting gear and the Police Department will receive \$60,000 to purchase a new cruiser. Second – J. Rolston; all in favor. MOTION CARRIED

III. APPOINTMENT

1. Cemetery Trustee Appointment

Donna Waldron has been asked by the Cemetery Trustees to fill the vacancy left when David Gill passed away. The position is elected; however, the Board of Selectmen appoints to fill a vacancy. The position will be filled through March at which time someone will be elected to fill the term. M. Scruton recommended D. Waldron for the appointment based on her experience on cemetery committees in Vermont.

MOTION: J. Rolston moved to appoint Donna Waldron as a Cemetery Trustee, term to expire March 2020. Second – R. Hussey; all in favor. MOTION CARRIED

Chair Hussey asked M. Kaulback to review and compare a quote and bill received for cemetery maintenance. He suggested the Cemetery Trustees may want to discuss both.

2. Conservation Commission Updates: Laura Byergo, Chairman

Michael Thompson has been selected by L. Byergo and committee as the Conservation Commission intern for the summer. His rate of pay will be \$15 per hour, with a maximum salary of \$2,000 to be paid from the warrant article.

MOTION: C. Deorocki moved to appoint Michael Thompson as the Conservation Commission intern for the 2019 summer at \$15 per hour, not to exceed \$2,000, to be paid from the Conservation Commission warrant article. Second – R. Hussey; all in favor. MOTION CARRIED

L. Byergo asked the Board to accept a donation for plantings on Van Etten Drive. She has met with Barry Posternak, homeowner, and reached an agreement on the plantings to be arranged by the Conservation Commission. The donation will be between \$1,410 and \$1,800.

MOTION: S. Smith moved to accept the donation of plantings on Van Etten Drive from Barry Posternak which will be valued between \$1,410 and \$1,800. Second – J. Rolston; all in favor. MOTION CARRIED

L. Byergo also requested expenditures from the Conservation Commission warrant article for the open space area behind Van Etten Drive and the conservation area next to Liberty Hill to prevent the spread

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of invasive species. She requested the Board approve up to \$3,000 from the warrant article for re-grading the bank and mowing the open space area.

L. Byergo stated she received another quote for re-grading the slope in the amount of \$1,200; mowing will be \$1,200 (twice @ \$600 each); \$500 will be used for plantings in the re-graded area. The adjusted amount from the warrant article would be \$2,900.

L. Byergo received two quotes for removing trees on the Town's right-of-way, which is actually Town property on Cushman Way (6' strip of land given to the Town that leads to the trail). One tree looks really bad; a couple trees look "kind of" bad. L. Byergo has looked at the trees with Donny Knowles as well as Seacoast Tree Care. D. Knowles stated the Town should fertilize the trees and see what happens next year; he thinks they were stressed by construction. L. Byergo has spoken to the home owners on either side; one stated they would love to keep the trees as a privacy screen. Both home owners are willing to try fertilizer and wait until next year. Seacoast Tree Care felt one tree may need to come down; the dead limbs on the others that have been stressed could be pruned. Two professionals have stated all the trees don't have to come down that a lay person may think are in trouble. She has received quotes ranging from \$1,600 to \$2,700 (removing the biggest tree and pruning four trees). She has permission from the home owners to use fertilizer.

L. Byergo explained the expenditures from the warrant article to the Board: \$2,900 for the Van Etten open space area; \$2,000 maximum for the intern; and \$2,700 for the trees. The total would be \$7,600 either the end of this year or sometime next year. The bridge is done on the trail, an Eagle Scout will be raising funds for his project, and volunteers will build five little bog bridges over the smaller wet areas on the trail. The Eagle Scout's design must still be approved. The community and others are involved in maintaining the trail. The Conservation Commission will be establishing a trail maintenance committee.

C. Deorocki asked L. Byergo for her thoughts on fertilizing the trees. She stated they do look stressed and was willing to try the fertilizer method. Chair Hussey questioned who would take liability if the trees were left. His concern was a tree falling on a house. Chair Hussey stated removal shouldn't wait unless the home owner was willing to take responsibility if a tree fell on the house; L. Byergo will ask the home owner who said he was willing to wait (it sounded like he wasn't worried). Chair Hussey reiterated his concern if a tree came down on the house during a storm and the Town knew there was a problem. He recommended approving the money and removing the trees. He continued the home owner would have to sign a legal document taking responsibility if they didn't want them removed.

MOTION: C. Deorocki moved to approve an expenditure of up to \$5,600 from the warrant article for re-grading the bank, mowing the open space area and to include tree service on Cushman Way. Second – S. Smith; all in favor. MOTION CARRIED

AMENDED MOTION: C. Deorocki moved to approve an expenditure of up to \$5,600 from the warrant article for re-grading the bank, mowing the open space area and to include tree service on Cushman Way and plantings. Second – J. Rolston; all in favor. MOTION CARRIED

IV. PUBLIC COMMENTS

Individuals wishing to speak must sign in prior to the meeting. Time limit: 3 minutes per individual.

Deborah Beck addressed the Board regarding the abatement on her property at 339 Bayside Road. She was levied with the current use tax of \$16,000; Selectmen told her she would have 18 months to pay. At another meeting, the Selectmen issued an abatement in the amount of \$16,000. She requested clarification of the abatement because she is selling the lot. She has spoken to an attorney as well as

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Richard Rugg. Chair Hussey stated the Board would take it under advisement and get back to her after discussing it with the assessor. M. Scruton noted that it has been discussed with the assessor and he's still working on it; he doesn't have a recommendation at this time for the Board. It had been suggested to D. Beck that she not be on the agenda until that recommendation was received.

V. APPROVAL OF MINUTES

1. Monday, June 24, 2019

MOTION: C. Deorocki moved to approve the minutes of Monday, June 24, 2019. Second – S. Smith; all in favor. MOTION CARRIED

VI. OLD BUSINESS

1. Coakley Update

M. Scruton attended the meeting at Bethany Church on Tuesday, June 25, 2019. Also attending were Dennis Malloy, NH State Representative, and Senator Sherman, along with others. Bedrock studies were reviewed; studies are ongoing regarding the plumes. S. Smith added this is the second year of a multi-year study. M. Scruton stated a number of people expressed concern that the EPA wasn't adequately handling their concerns. D. Malloy stated there was another condition by DES to change the standard parts per trillion for PFOA and PFOS. He was unsure how much progress was going to be made. There are a number of groups and towns that would oppose bringing the number down because of the clean-up issues. The goal is to try to meet the standards of neighboring states; New Hampshire is high in comparison. D. Malloy stated that a point made at the meeting was that 1.4 Dioxane was moving through the bedrock, and appears to be an emerging contaminant of concern. He recommended keeping an eye on that as well.

2. Weeks Library Update

M. Scruton provided that Board with a Notice of Hearing regarding the Town of Greenland vs. Heirs of Caroline A. Weeks, et al. The hearing for clarification will be held at the Rockingham County Courthouse in Brentwood on Monday, July 22, 2019 at 9:00 a.m. The Library Trustees will be providing the Building Inspector with building plans and will be ready to move forward should the Town be granted a deed.

3. Troiano Contract

The contract with Troiano has lapsed; however, Troiano has continued hauling. M. Scruton has looked at other options and recommended that the Board approve the Troiano contract for one year. They've been doing a good job and are responsive to the Town's needs. Their rate is in line with what other haulers are charging.

MOTION: C. Deorocki moved to approve the Troiano contract effective August 01, 2019; the rate will be \$235 per haul plus \$100 per hour wait time after the first 30 minutes. Second – R. Hussey; all in favor. MOTION CARRIED

4. Petty Cash Fund

At the meeting on June 10, 2019, the Board authorized the use of a debit card for urgent expenditures. After discussions with the Finance Director, she recommended increasing the petty cash fund to \$500 due to security concerns with the use of a debit card; M. Scruton agreed there were more security

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measures in place with petty cash. M. Scruton informed the Board that the Police Department requested an increase in their petty cash fund to \$200.

MOTION: J. Rolston moved to approve increasing the petty cash fund from \$50 to \$500 to be used for urgent expenditures, and for the Police Department petty cash fund to increase to \$200. Further, the Town should not request a debit card. Second – C. Deorocki; all in favor. MOTION CARRIED

5. Lawn Maintenance

At the request of the Board, an RFP was developed for lawn maintenance; the Board received a copy prior to it being sent. Five bids were received and reviewed by the Board (copy on file). J. Rolston asked for clarification on the location of Weeks Cemetery. M. Scruton responded it was back by the railroad tracks off Bayside Road, on Underwood's property, and not visible from the road. C. Deorocki stated that GPS confirmed it was Weeks Cemetery; Brackett's is located near Waters Edge. M. Scruton suggested approving the bids without the two cemeteries. S. Smith stated those cemeteries will need to be cleaned up eventually, and they don't add that much to the bid. M. Scruton felt the discrepancy would be minor and could be added at a later date.

MOTION: J. Rolston moved to accept the bid of Pearl's Landscaping LLC to do lawn maintenance of Town property for the remainder of 2019. Second – R. Hussey; four in favor, one abstain (C. Deorocki). MOTION CARRIED

M. Scruton noted that Pearl's Landscaping and Todd's Property Maintenance were the two lowest bids. The Weeks Cemetery bids were substantially different; they may not have been bidding on the same location.

6. Other Old Business

Chair Hussey asked Board members to review the Personnel Policy for the next meeting.

VII. NEW BUSINESS AND ADMINISTRATIVE

1. Welfare Agreement with City of Portsmouth

M. Scruton recommended that the City of Portsmouth's Welfare Office process Greenland's welfare applications. They are familiar with the rules and regulations pertaining to welfare and have an abundance of resources available. He felt it would save the Town money because of their expertise. Other towns in the area have taken advantage of their services. The cost to the Town would be \$50 per hour. M. Scruton felt it may reduce overall costs to the Town. Clients would be screened by Portsmouth; welfare would be paid based on the recommendation of the Portsmouth Welfare Office.

C. Deorocki wanted to talk about the volume of welfare done by the Town. M. Scruton stated it varied per week. C. Deorocki asked how many cases were processed last year; that information was not available. C. Deorocki understood the money and everything, and saw Greenland growing; the less out of pocket, the better. Chair Hussey stated that people will go from town to town to get money. If welfare is centralized, they would not be able to do that. M. Scruton added they don't have to be a resident to ask for assistance. He agreed with Chair Hussey about centralizing welfare.

J. Rolston had spoken to the previous Town Administrator about this. It was his understanding there are only seven or eight people actually getting assistance. He hated to see it go to the City of Portsmouth to make a decision about a person in Greenland; those are the ones the Town is really supporting. He continued that the welfare salary was rolled over to the Town Administrator's salary several years ago.

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He asked M. Scruton if he wanted to take a drop in pay; Chair Hussey stated it was already taken away. J. Rolston stated he would like to keep it local as long it was not a burden.

Responding to a question from J. Rolston regarding the number of cases M. Scruton has had since he was hired; M. Scruton stated approximately “a half a dozen”. M. Scruton continued that the cases are very complicated and was concerned, legally, about a misstep that could become an issue for the Town. Portsmouth is in a position where they’ve been doing this for a number of years and could make better decisions. It would alleviate the responsibility from our office, allowing other things to be done. M. Scruton recommended moving forward; however, it was a Board decision.

C. Deorocki would like to see an average of the last three years, and would like to table this. He didn’t like to give anything up to the City of Portsmouth. We need to process this kind of information in-house and in Town. He wanted to table this until the next meeting. M. Scruton clarified C. Deorocki wanted to know the number of applicants as well as how many are approved and denied. J. Rolston asked if the New Hampshire Municipal Association was up to helping us out with this; M. Scruton will contact them.

MOTION: S. Smith moved to table further discussion until the next meeting. Second – C. Deorocki; all in favor. MOTION CARRIED

2. Right to Know Fee

M. Scruton explained that the Town is allowed under State law to charge per copy/per page for Right-to-Know requests; the Town cannot charge for labor. He would like to institute a per page fee for any requests. The Town Clerk currently charges \$0.25 per page; M. Scruton would like to be consistent.

MOTION: J. Rolston moved to approve a charge of \$0.25 per page for copies, which reflects the estimated cost of the copies per page. Second – R. Hussey; all in favor. MOTION CARRIED

3. Pest Control at the Transfer Station

M. Scruton asked the Board how they would like to control pests at the Transfer Station. Troiano has complained about pests, rats in particular. Currently, poison is put out for the rats and can have a negative effect on the wildlife if a dead rat is consumed. M. Scruton would like the Board to move away from using poison. Chair Hussey stated there is a trap that can be used; there needed to be a body count. He hasn’t seen any rats. J. Rolston suggested asking the Transfer Station employees how many rats they’ve seen; he hasn’t seen any up there. R. Hussey stated that he was at the Transfer Station when Troiano was on site. He saw mostly flies and hornets; he didn’t see any rats or rat feces. It was noted no rat bodies have been found and no gnaw marks have been seen on the poison.

M. Scruton stated that Troiano has asked him specifically what has been done; there is a driver who refuses to come to Greenland. C. Deorocki recommended a professional get in there to give us an evaluation. If he says “this is what you need”, that’s what we need. If he says “you’re in the clear”, send it to Troiano that we’re in the clear and this is what we’ve done. M. Scruton will contact Granite State Chemical. C. Deorocki stated he would like to see it in writing from a professional exterminator.

4. Other New Business

R. Hussey apologized to residents live streaming for the inconvenience of the Transfer Station being shut down; most people didn’t have an issue. If power is out, it’s a liability. EverSource preferred not to have anyone near the facility when transformers were being changed. He noted the transformers were over 30 years old.

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J. Rolston suggested that a phone number be available at the ball park in case of problems; Chair Hussey was in agreement. M. Scruton stated there was still a specific light issue that has not been resolved. C. Deorocki stated that it was his understanding anybody using the field had contact with the Rec Committee. Somebody should have the number for the Town but it was a good idea for a sign posted in case of a problem. Maldini Electric will be contacted.

VIII. ACCOUNTS PAYABLE – THURSDAY, JULY 11, 2019

1. Payroll Manifest 14

MOTION: J. Rolston moved to approve Payroll Manifest 14 in the amount of \$56,619.09. Second – S. Smith; all in favor. MOTION CARRIED

2. General Fund Manifest 14

MOTION: R. Hussey moved to approve General Fund Manifest 14 in the amount of \$554,016.38 (School - \$285,000). Second – C. Deorocki; all in favor. MOTION CARRIED

IX. NON-PUBLIC

1. Legal [RSA 91-A:3, II(e)]

MOTION: Chair Hussey moved to enter into non-public session at 8:04 p.m. Second – R. Hussey; Roll Call Vote: S. Smith – yes, C. Deorocki – yes, R. Hussey – yes, J. Rolston – yes, C. Hussey – yes. MOTION CARRIED

MOTION: J. Rolston moved to return to public session at 8:18 p.m. Second – S. Smith; Roll Call Vote: S. Smith – yes, C. Deorocki – yes; R. Hussey – yes; J. Rolston – yes; C. Hussey – yes. MOTION CARRIED

MOTION: C. Deorocki moved to seal the minutes of the non-public meeting. Second – R. Hussey; all in favor. MOTION CARRIED

X. ADJOURNMENT

MOTION: C. Deorocki moved to adjourn at 8:19 p.m. Second – S. Smith; all in favor. MOTION CARRIED

NEXT MEETING

Monday, July 22, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Administrative Assistant

Approved: