



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, August 19, 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 live streamed and recorded.

I. APPOINTMENT

1. Economic Revitalization Zone: Bridgett Beckwith, Tax Incentive Program Manager – State of NH

Bridgett Beckwith, Tax Incentive Program Manager with the State of New Hampshire, addressed the Board. Greenland's renewal in the program is due shortly; contracts are renewed every five years. B. Beckwith explained this is a tax credit program currently used by approximately 70 municipalities; there are 211 zones throughout the State. The zones are designed to promote economic activity; there is no burden to the town. The State has set aside \$825,000 from the business profits tax or business enterprise tax. Business owners need to invest in their own capital and create jobs within a calendar year; applications must be submitted by February 10th of the current year.

B. Beckwith stated they are planning to apply to have the program extended. Asked if she thought it would pass the Legislature, she was unsure but felt it might due to interest in the program. Dennis Malloy, State Representative and resident, asked how much of the \$825,000 was used; B. Beckwith responded that all of it was used. D. Malloy stated that would be a strong case to bring to Ways and Means to extend and/or expand the program. In his opinion, helping local and small businesses would get a very favorable hearing. He added there was reluctance this year to expand any current tax credit programs. Ways and Means was concerned about revenue and revenue projections coming in from business profits and business enterprises.

Chair Hussey stated the Town was running out of commercial space; a lot of the commercial property is older. If the Town gave a tax credit on property taxes for improvements, would the ERZ program have to be in place. B. Beckwith stated this is a stand-alone program and stackable with any other credits that are offered. C. Deorocki asked if there was a minimum of jobs that needed to be created or capital investment. B. Beckwith stated there was not; the jobs are usually the driver. Zoning was discussed; mixed use is counted. B. Beckwith stated the tax credit would go to the business and not the resident in a mixed use zone.

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2. Police Department Detail Rate: Chief Laurent

Chief Laurent reviewed the detail rate with the Board. Detail rates must cover the officer's salary and payroll taxes, and the remainder goes to the Town. That amount covers billing, invoicing, office staff time, etc. Last year, Chief Laurent did a salary survey that included detail rates. Many of the towns that included their detail rate were charging over \$50 per hour for officer detail rate; officer and cruiser rates were additional. Greenland charges \$44 per hour.

Chief Laurent recommended increasing the detail rate to \$50 per hour; some of the surrounding towns were increasing their rate to \$52. Union towns increased to \$60 per hour. Detail work in Town must go through the Greenland Police Department. If Greenland cannot fill the detail, the Greenland Police Department calls surrounding departments. State Police cover I-95.

MOTION: S. Smith moved to approve the detail rate of \$50 per hour for officers with a bill out rate of \$70 per hour. Second – J. Rolston; all in favor. MOTION CARRIED

Grant Purchase: Chief Laurent is in the process of getting three bids for the cruiser and outfitting the cruiser. She's looking at the purchase of a new Ford Interceptor SUV equipped for the Police Department with the grant funds donated by the Pattony Foundation.

MOTION: J. Rolston moved to approve the purchase of a fully equipped Ford Interceptor SUV up to \$60,000 using funds donated by the Pattony Foundation. Second – S. Smith; all in favor. MOTION CARRIED

A vehicle was not purchased last year because the detail account was running low. She's hoping this cruiser will be additional, but is unsure.

Dearborn Stop Sign: Chief Laurent explained the reason it was recommended the stop sign be put at Dearborn and Waters Edge is due to E-911 and NEMA rules. Waters Edge is one road, but Dearborn Road begins and ends at that intersection. The traffic division recommendations are the one that ends always has the stop sign. J. Rolston stated there is a stop sign at the railroad tracks; he didn't feel anything was needed. Chief Laurent responded that if there was an accident, the Town may hold some liability knowing there was an intersection with no one required to stop. She hesitantly suggested a yield sign: Waters Edge would still be the primary and have the right-of-way; Dearborn could yield. R. Hussey stated he liked the stop sign because people don't pay attention.

MOTION: J. Rolston moved to put a yield sign at Waters Edge and Dearborn Road. There was no second. MOTION FAILED

J. Rolston asked if the stop sign was going to be put back up. Chief Laurent was unaware it was gone. C. Deorocki stated there was no sign there before the road work was done. After the road work was completed, a sign was put up. C. Deorocki confirmed the stop sign was missing. Chief Laurent will open a stolen sign report. Another stop sign will be put up as well as a game camera.

3. Fire Department Grant Purchase: Chief Cresta

Chief Cresta received a quote for a Jaws of Life, to update the current and some battery-operated Jaws for the other vehicle. He explained the update to the existing Jaws of Life. He is planning to purchase a suitcase type Jaws of Life that can easily be handled by one person. He detailed the additional

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equipment to be purchased through the grant. They also planned to purchase a hydrant assist valve. There will be additional equipment. Chief Cresta got a bid for the Jaws of Life through the State. M. Scruton added that he has contacted several companies and may be able to get a lower price but needed to consider the cost of shipping.

MOTION: J. Rolston moved to approve the purchase of the Jaws of Life, updating the existing Jaws of Life, and purchasing the hydrant assist valve using grant money. The purchases, coming from the Pattony Foundation Grant, are not to exceed \$49,000. Second – R. Hussey; all in favor. MOTION CARRIED

Chair Hussey reminded Chief Cresta that fire station funds expire December 31, 2019. The Building Inspector is working with Ricci and should be almost finished; Chief Cresta is waiting for the report. Chair Hussey also mentioned he would like to have payroll on line by the first of the year. Chief Laurent stated they were planning to stay away from a payroll service because of how their shifts work. Chief Cresta was trying to simplify his payroll process. A payroll service using QuickBooks will be researched.

II. PUBLIC COMMENTS

Individuals wishing to speak must sign in prior to the meeting. Time limit: 3 minutes per individual. The total time allotted shall not exceed 20 minutes, unless extended by the Board.

III. APPROVAL OF MINUTES

1. Monday, August 05, 2019

MOTION: C. Deorocki moved to approve the minutes of Monday, August 05, 2019. Second – S. Smith; all in favor. MOTION CARRIED

IV. OLD BUSINESS

1. Coakley Update

M. Scruton distributed an update to HB494. DES is going to try to force the Coakley Group to reduce the PFAS chemicals going into the brook. D. Malloy added that it deals with the contaminants in Berry Brook. He noted there were 11 sponsors to the bill. The Coakley issue, as well as other water concerns around the State, is a very high priority. J. Rolston thanked D. Malloy for his sponsorship and work on the bill; he felt it was a good start towards getting this resolved.

2. Weeks Library Update

M. Scruton updated the Board that the Town Attorney is working with the Library's attorney on the Guardian Ad Litem report. Both Underwood Engineers and Lavalley|Brensinger appear to be actively working on the planning and design aspects of the Library expansion. He has emailed both companies to remind them the Board has requested any Library expansion work that may generate an invoice or create additional billable hours wait until after the court has determined ownership of the property. Payment of the invoices may be delayed for future work done prior to the court decision. Craig McLaughlin would be addressing the Board about continuing the review to expedite the process.

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C. McLaughlin addressed the Board. He reviewed the process since May 2019. The judge decided at that time joint decisions by the Board of Selectmen and the Library Trustees would be valid. The Town attorney and the Library's attorney have been working with Tom Donovan, Charitable Trusts, who is concerned about materials used in construction and not ownership of the land. The gift was conditional on the primary materials being bricks, stone and steel; the addition will be made of those materials. The appearance will be consistent with the historic building.

The Library Trustees are confident there will be a positive outcome to the court decision. C. McLaughlin did not understand why the Selectmen would want to delay third party reviews. Chair Hussey responded that all they needed was one thing to go wrong in court. He wanted to make sure the Town did not throw money away; he was not nervous about an appeal. C. Deorocki was in agreement; he did not see it as a delay tactic whatsoever; it was due diligence, period. His stance had not changed. J. Rolston respectfully disagreed. He felt it had dragged on way too long; everything he has seen and read indicates it's going to be approved. He felt it was time to stop throwing money away every month and start getting something back for the Town's money. S. Smith agreed with J. Rolston. Legal funds for the Library are \$17,964, which seems outrageous. It was a lot of money for legal fees that he did not feel needed to be spent. R. Hussey was on the fence; he agreed with the Chair and C. Deorocki but also wanted to see it move forward and get done. It could be that one time someone says "I want the kit 'n' caboodle". He would rather see them proceed cautiously and not spend a lot of money.

C. McLaughlin understood that the Board did not want to throw money away. He talked about the escalation of costs. He asked the Board to consider the escalation costs in materials, construction and legal fees. That has used the contingency fund the Library has and the guaranteed maximum price; if delayed further, there is a possibility the tax payers will get less Library for the \$3.57 million; more of that money would have gone to escalation and legal expense.

Chair Hussey asked if part of the delay was the Guardian Ad Litem who did not show up to court. He reminded C. McLaughlin the Guardian Ad Litem was hired by the Library. C. McLaughlin stated that the Library did not hire him. His report was late; the Library Trustees are just as disappointed as the Board. There was no accountability to C. McLaughlin as head of the Building Committee. The Town Attorney submitted a report to T. Donovan. Chair Hussey stated that every time the Library got something done, another problem came up (he clarified that the people objecting to the Library kept finding problems). However, he was nervous about throwing money away. The fire review should be done within a week once a decision was made. Chair Hussey suggested that S. Smith and R. Hussey oversee the fire review and Building Inspector's review once the Library was given a "go" to make sure things moved quickly without any problems.

C. Deorocki understood the point it has dragged on and on, let's just get it done. The point that it has just dragged on and on is not enough to just get it done and turn around and look the other way and let it go. We're in court, let's get the decision. Cool; good to go. Nothing else is going to hang us up. He couldn't wait to see this Library in the rear view mirror. It will be great; then we'll build something else. He has said in the past that this Board is not necessarily responsible for the delays. Every Board has had a piece of this and owns a little bit of the joy. You can slice up the pie any way you feel fit. But, it's not just the Board and not just the Library, not the planning; it was a collaboration of a lot of different things. He was not pointing fingers at anybody; he was pointing fingers at everybody. We all could have done a better job in the beginning all the way to the ribbon cutting. Hopefully, it is going to get better from here-on-in.

J. Rolston reminded everyone there was a survey recently sent to the Town. The overwhelming majority of comments were “let’s get this thing done”. People in this Town have voted for it three times now; they want to see it done, and so does he. C. Deorocki added unfortunately it’s more of the process it’s taking to get it done.

C. McLaughlin did not know the next court date. He thought the critical path was that T. Donovan needs to get comfortable with the latest proposal he was given by the Library and the Town Attorney. The final recommendations then will be sent to Superior Court. C. McLaughlin stated the Superior Court had an excellent sense of urgency—one day the last time; he was encouraged. Chair Hussey added the day we get through it, the next day we fly. C. McLaughlin responded “deal”.

3. CIP Update

The Board received a copy of the CIP letter and form sent to department heads. It was provided to the Board to give input on the CIP. M. Scruton will be providing information to the Planning Board. Chair Hussey made the following suggestions: sidewalk repairs (engineering will need to be done); pedestrian bridge over the Winnicut River on Rt. 33; maintenance of Town buildings (windows, doors, heating/AC system, etc.); Transfer Station; band stand replacement (may need replacement within 5 to 10 years); repairs to the exterior of the Public Works building; roads (Bayside); ADA compliant door for the Town Clerk’s office; Rt. 33/151 crosswalk; parking off Church Street; Rec administrator; Rec field rebuilt; snow plowing/salt (revolving fund); Police Department building maintenance; Fire Station (2024); possible expansion of the Conference Room for voting in the Town Office (in case the School can’t be used due to security problems). J. Rolston commented on voting at the School; the taxpayers built that school and they can resolve the issue one or two days a year rather than spending \$1 million for a building big enough for everyone to vote. C. Deorocki agreed; a lot of people pay taxes that do not have children in that school.

Chair Hussey stated the Board would have to be more specific by the next meeting. He explained the CIP projected out 5 to 10 years.

4. LED Lighting Update

M. Scruton updated the Board that the LED lighting equipment arrived and was being installed. He noted the Conference Room lighting had been done. Lighting will turn on and off with movement as well as automatically adjust.

5. Compactors at Transfer Station

The two compactors at the Transfer Station were manufactured in 2004; the hopper and chutes are much older. It appears they replaced the compactors and left the hoppers. They’re rusting out and need refurbishing or replacing. Four different vendors have provided quotes; some included additional items that M. Scruton didn’t think were necessary. Quotes for compactors and hoppers, installed, ranged from \$43,214 to \$91,688. He added that the option to refurbish was not going to be significantly lower in cost.

M. Scruton recommended compactors and hoppers be purchased new; the new motors and pumps would be under warranty. He also recommended Atlantic Recycling; their bid was in the amount of \$43,214 which includes a \$3,000 trade in. There is a three year structural warranty, plus one year parts and labor. There was approximately \$73,670.95 in the Transfer Station CRF as of June 30, 2019.

Compactors can be moved slightly within the pad; further out would require expanding the pad. The hopper can be adjusted accordingly. The mechanicals will be located on the top of the unit. R. Hussey commented that the bottom is open on the older units. When garbage gets dumped, the sludge goes underneath and builds up. Was there any way to prevent the garbage from going underneath? M. Scruton stated it wasn't part of the quote, but would check into it. R. Hussey suggested a shield in the front and the first 2 ft. along the sides; they don't have to be skirted all the way around.

MOTION: C. Deorocki moved to approve the bid from Atlantic Recycling for two new compactors with hoppers and guides in the amount of \$43,214 to be taken from the Transfer Station CRF, and allow up to \$5,000 in additional funds to be expended from the Transfer Station CRF as required for options that may include design/layout modifications, extended warranties, upgrades or other changes that may be needed. Further, the old compactors shall be traded in to Atlantic Recycling. Second – S. Smith; all in favor. MOTION CARRIED

6. Other Old Business

PDA Representative: S. Smith stated there had been discussion at the Planning Board about a representative from the Board of Selectmen or Planning Board to the PDA. Vaughan Morgan, former Selectman and Planning Board alternate, had suggested it would behoove the Town to appoint someone to the PDA sooner rather than later. C. Deorocki stated Greenland does not have part of a seat at this time. D. Malloy added that Greenland will not have a seat until 2021. He has suggested in the past that someone should attend the PDA meetings; M. Scruton attended the meeting on August 15, 2019. In 2021, Greenland and Newington will need to decide who will be the representative for the seat they will be sharing.

Caswell Field Building Repairs: J. Rolston questioned the status of the building repairs at Caswell Field. M. Scruton responded the Board had previously approved the bid from Pro Partners Home Improvement. They have provided the Town with a Certificate of Liability and are on the docket to be done. The building at Krasko Field is also on the schedule to be done.

Tree Removal on Cushman Way: Chair Hussey noted that the Board has not received a waiver for the trees on Cushman Way that need to be removed. He recommended moving forward. If the trees came down, he didn't want the Town to have to buy someone a new roof. M. Scruton will contact Burke's Tree Service and Knowles for removing the trees; Laura Byergo had received a quote from Knowles. C. Deorocki wanted due diligence to be done and get additional quotes. Chair Hussey noted funds would be coming from the Conservation Commission warrant article, to be approved by the Board and Conservation Commission. C. Deorocki stated that three bids were good business. He disagreed with Chair Hussey that two bids would be enough.

Maintaining the Rec Fields: Chair Hussey clarified that the Town was not responsible for maintaining the Rec fields. Complaints should be directed to the Rec Department. M. Scruton has had discussions with residents about the infield at Maloney and Caswell fields. C. Deorocki asked if it was the appearance or were games being played on the fields; it was the appearance—weeds are growing. C. Deorocki stated it was normal procedure when the girls were done playing softball that the infield wasn't prepped for play. There were some big weeds that needed to be pulled out; he has seen them.

V. NEW BUSINESS AND ADMINISTRATIVE

1. Intent to Cut

Robert Tibbetts, 312 Breakfast Hill Road, has filed an intent to cut. The Board approved an intent to cut in September 2018; it expired in March. DRA is requiring the intent to cut be approved and signed again by the Board.

MOTION: C. Deorocki moved to approve the intent to cut filed by Robert Tibbetts, 312 Breakfast Hill Road. Second – J. Rolston; all in favor. MOTION CARRIED

2. Labor Day: Monday, September 02, 2019

The meeting scheduled for Monday, September 02, 2019 is Labor Day. Does the Board want to move the meeting to Tuesday, September 03, 2019? The Finance Director will need to submit payroll on Tuesday morning, September 03, 2019; the Board can approve it at the meeting Tuesday night.

MOTION: J. Rolston moved to change the date of the Board of Selectmen's meeting to Tuesday, September 03, 2019 at 7 p.m. Further, the Finance Director may submit payroll on Tuesday morning, September 03, 2019. Second – S. Smith; all in favor. MOTION CARRIED

M. Scruton stated several office personnel have requested to take Friday, August 30, 2019 as a vacation day. Should the Town Offices be closed that day? Anyone wanting to work could come in, but the doors would be closed to the public; it would be publicized. M. Scruton noted the Town Clerk would set their hours and he offered to work that day. *Note: The Town Clerk's Office will be open; the Town Administrator's Office and Building Inspector's Office will be closed.*

MOTION: J. Rolston moved to approve the Town Offices be closed on Friday, August 30, 2019 for the Labor Day weekend. Employees not working that day must use a vacation day, if applicable. Second – R. Hussey; all in favor. MOTION CARRIED

3. Other New Business

Mowing of Cemetery Property: J. Rolston stated someone spoke to him about the weeds in front of the stone wall at the cemetery going into the Transfer Station. He understood there was some controversy as to whether it was the Town's or Cemetery Trustees responsibility. It needed to be decided quickly whose responsibility it was. Chair Hussey responded contractors had been hired to mow the cemetery before the Town hired someone; those contractors were responsible for mowing around the cemetery walls. He had a real problem with the Cemetery Trustees not having the contractor mow around the walls, especially with the rate he's being paid (three times the low bid received by the Town). Chair Hussey continued it was shameful the Trustees and contractor couldn't work it out, especially to mow that little strip. C. Deorocki asked if the drawings showed cemetery land up to the sidewalk; M. Scruton stated the paper maps showed cemetery land up to the sidewalk. The Town has a right-of-way; should the Town be mowing the right-of-way? C. Deorocki suggested walking up Portsmouth Avenue. Chair Hussey asked if someone else complained would the Town have to mow theirs. C. Deorocki stated people mowed up to the sidewalk; if they didn't, it wasn't mowed. This was their property; it didn't fall under the Town's responsibility, it falls under the Cemetery Trustees responsibility and their contractor. M. Scruton stated to the Cemetery Trustees Chairman in his last email that it was their discretion to mow the area because it was cemetery property. C. Deorocki stated that any complaints should be

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directed to the Cemetery Trustees. Chair Hussey noted the Town did not mow in front of the furniture store or the Post Office. C. Deorocki saw it as a tax map issue: there's the property line; that's your grass. He didn't see it any different than that. If you don't want to mow it, don't. If people complain, you're going to hear complaints. Chair Hussey stated the Cemetery Trustees meet on Tuesday, August 27, 2019; the Board should know the next day what they were going to do. In his opinion, it made them look bad and he didn't want that.

Planning Board: S. Smith stated the Planning Board has had some issues with the Building Inspector's review of a couple of projects that either weren't followed through on or he wasn't available to answer questions. S. Smith felt it would behoove the Board to have a quarterly review of projects he's overseeing or that need further review. There seems to be a lag between the Building Department/Code Enforcement and the Planning Board. R. Hussey suggested the Building Inspector attend a Planning Board meeting once a month. S. Smith felt quarterly would be adequate.

NHMA Workshops: S. Smith also mentioned that the Municipal Association will be sponsoring fire prevention and inspection workshops. These are free workshops and worthwhile; there are changes in the law this year. The Fire Department and Building Inspector may want to attend.

VI. ACCOUNTS PAYABLE – THURSDAY, AUGUST 22, 2019

1. Payroll Manifest 17

MOTION: R. Hussey moved to approve Payroll Manifest 17 in the amount of \$58,893.29. Second – S. Smith; all in favor. MOTION CARRIED

2. General Fund Manifest 17

MOTION: S. Smith moved to approve General Fund Manifest 17 in the amount of \$400,706 (School - \$250,000). Second – R. Hussey; all in favor. MOTION CARRIED

Chair Hussey noted there was an invoice for the Cemetery Trustees. Any time work is done for a department, it should be approved by them. At their meeting on Tuesday, August 27, 2019 they should approve the invoice. C. Deorocki was in agreement.

3. Fire/Safety Manifest 02

MOTION: J. Rolston moved to approve Fire/Safety Manifest 02 in the amount of \$366. Second – S. Smith; all in favor. MOTION CARRIED

VII. ADJOURNMENT

MOTION: S. Smith moved to adjourn at 8:37 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

NEXT MEETING

Tuesday, September 03, 2019 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Administrative Assistant

Approved: