



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, October 20, 2014 – 6:45 p.m. – Town Hall Conference Room

Members Present: Chair John Penacho, Kevin Forrest, John McDevitt, Vaughan Morgan, Mo Sodini

Staff: Karen Anderson – Town Administrator

Chair Penacho opened the Board of Selectmen meeting at 6:58 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Petition from Grades 5 & 6 Students: Date Change for Trick or Treat

A petition was presented to the Board of Selectmen to change the date of Trick or Treat from Thursday, October 30 to Friday, October 31; Grade 5 and 6 students will be at Nature's Classroom. Holden Burke and David Howard addressed the Board. A poll was taken of students in Grades 5 and 6; students who wanted the date changed signed the petition.

Chief Laurent stated that she had read the petition and was struck by the fact that they saw an issue, thought about how to solve the problem, and took the initiative. She was in complete support of changing the date to Friday, October 31. Audience members were polled; it was unanimous for the date change. Chair Penacho felt it may be a conflict with neighboring towns having Trick or Treat on Thursday; Chief Laurent agreed there would be conflicts with Portsmouth and Stratham. She added that she would do a press release regarding the date change, the school would be notified, and it would be on the Town and Police Department websites. When asked about Trick or Treat being on October 31 going forward, Chair Penacho responded that it would be discussed by the Board.

Colleen Penacho, 86 Tidewater Farm Road: There will be some people abutting Portsmouth or Stratham who will be unhappy about Trick or Treat not being on the same night.

MOTION: M. Sodini moved to celebrate the festive holiday of Halloween on Friday, October 31, 2014. Second – K. Forrest; all in favor. **MOTION CARRIED**

I. PUBLIC HEARING

1. Purchase of Land (Public Hearing #1): Conservation Commission - RSA 41:14(a) [Map R21, 7]

Chair Penacho introduced Chip Hussey, Conservation Commission Chairman, who explained the proposed purchase of land. It was noted by Chair Penacho that there would be no decisions made and this meeting was for comments only. The Town Administrator added this would be the first of two public hearings; the second public hearing would be held on Monday, November 03, and the decision would be made at the meeting on Monday, November 17.

The owner has made the land available to the Town at the assessed value of \$11,300. It abuts Packers Brook and Portsmouth Country Club. The Conservation Commission is hoping to build trails at a later date. There is access across the rails; the Conservation Commission will begin talks if the land is purchased. To gain access from the other side of the property, landowners will have to give permission and/or an easement. Funding will be from the Conservation Land Capital Reserve Fund. C. Hussey told those present that the Conservation Commission is trying to build trails throughout the Town to connect communities; they're hoping to add this land to the trail system. They are proposing trails from Van Etten Drive to Coastal Way, into Cushman Way, and ending at Meaghan Way. A NEMBA (New England Mountain Bike Association) representative for Stratham Hill Park was present, and stated they could build the trails for free if they wanted to let bikes have access.

There being no other public comments, Chair Penacho closed the public hearing. He reminded the audience that the next public hearing would be Monday, November 03, 2014.

2. Proposed 911 Changes – RSA 231:133-a

Chief Laurent, Chief Cresta, and representatives from 9-1-1 were present. Chair Penacho noted that this was a two-step process. Decisions will be made at the Board of Selectmen meeting on Monday, November 03, 2014.

Chief Laurent explained that 9-1-1 was making its way through New Hampshire, GPS'ing the Town, which will assist when they receive emergency calls. 9-1-1 has recommended some standardization, making locations easier to find: names of roads shouldn't be too similar, a specific amount of space should be in between house numbers, odd and even numbered houses should be opposite, etc.

One of the standardizations is that a driveway shared by more than two residences should have its own street name. The committee drove the areas affected by the proposed changes; they are recommending that they receive their own street names for safety reasons. They will be private roads and not maintained by the Town; they would have an emergency lane for access by emergency vehicles. The Town would purchase the initial street sign.

Until land is transferred, the deed doesn't need to be changed. Addresses will change in the tax records, 9-1-1, and utilities. Changes will take effect approximately 90 days after the Board decision. Informational packets will be given to all residents affected by the changes.

The same results won't happen with more signage rather than name changes. Chief Laurent explained that it goes back to logic and emergency calls in the middle of the night; seconds would be added and could make a difference. She also explained that in an emergency situation, there isn't time to enter an address into a GPS system. Standardization for 9-1-1 states there cannot be any letters in the street numbering; every structure must have its own number. The numbering process was explained. Residents were asked when submitting road names to make sure there was not something similar being used now. Chair Penacho reminded audience members that the Board of Selectmen would approve name changes after 9-1-1 reviewed them.

Chief Laurent suggested new street names: Rosemary Lane (off Dearborn), Abeniqui, Avery, Berry, Cate Cole and Cut. Residents may submit names to the Town Administrator before the Board meeting on Monday, November 03. Chief Laurent told residents to not use bay, road and street. There were residents not in support of changing road names.

Chair Penacho closed the public hearing at 8:05 p.m.

II. APPOINTMENTS

1. David Osterhoudt: 885 Portsmouth Avenue – Storage Container

Tim Phoenix, attorney, was present and representing David Osterhoudt. He reminded the Board they were before them in October requesting a permit for a storage container. D. Osterhoudt was granted a building permit by the Building Inspector.

MOTION: *M. Sodini moved to approve the request for a storage container at 885 Portsmouth Avenue. Second – K. Forrest*

DISCUSSION: T. Phoenix felt the project could take time to complete. The ordinance allows a period of one year for storage containers; however, the Board has granted up to two years. They are requesting a permit for one year.

AMENDED MOTION: *M. Sodini moved to approve the request for a storage container at 885 Portsmouth Avenue for a period of one year. Second – K. Forrest; all in favor. MOTION CARRIED*

2. Conservation Commission: Use of Funds – Warrant Article 11 (2013 Town Meeting)

Chip Hussey, Conservation Commission Chairman, explained that there is an agreement with the Appalachian Mountain Club to help design trails. Their cost is \$1,250. Funds are not available through AMC for the trails; the Commission is working on grant funding.

MOTION: *M. Sodini moved to approve the withdrawal of \$1,250 for the assessment of the trail system off Van Etten Drive through Coastal Way, Cushman Way and Meaghan Way. Second – K. Forrest; all in favor. MOTION CARRIED*

The Town Administrator clarified funds were approved in a warrant article at the 2013 Town Meeting and were not in a capital reserve fund; it's in the General Fund as a line item. The fund, in the amount of \$15,000, is to be used for this type of activity.

3. Underwood Engineering: Update - Caswell Drive & Dearborn Road

Phil MacDonald, Underwood Engineering, updated the Board on the design plans for Caswell Drive and Dearborn Road. The plans are at a 90% design level. The estimated cost of the Caswell Drive project is \$440,000; Dearborn Road is estimated at \$550,000.

Dearborn Road: The geometry of the road and design speeds are an issue. Underwood Engineering has planned a full reclamation type process. They have tried to raise the road approximately 4" wherever possible, which should improve the drainage. Five or six areas, primarily around the sharp corner, have been identified where an easement would be needed to complete the work. Underwood Engineering recommended contacting the property owners to increase the right-of-way through land acquisition or a sight easement.

Caswell Drive: Portions of the road may be done with an overlay. The pavement on approximately one-third of the road on the eastern side is in fairly good condition as is the drainage. There are a lot of drainage problems on the west side; the road is essentially underwater. Underwood is recommending that two-thirds of the road be re-built similar to Dearborn.

The bidding process will start in February 2015. The Board was concerned about the sight line and drainage on Dearborn. After researching, the Town Administrator could not find any documentation of an easement for drainage that was done on a specific section of Dearborn. P. MacDonald anticipates drainage can be repaired in that area. Underwood Engineering will draft standard easement documents for Board approval. A permit will be needed to repair the drainage near the Dearborn residence; it has been budgeted for replacement. A sight easement was suggested for approximately 230' on the Manter property; the easement will be extended to the Dearborn property.

P. MacDonald suggested that residents affected by a possible easement should be contacted first. There are a few drainage outlets on Caswell that may require easements; he was more concerned with Dearborn. P. MacDonald has offered to speak with residents regarding easements. Underwood Engineering will draft the initial letter and forward it to the Town Administrator.

III. ADMINISTRATIVE AND OTHER ITEMS

1. Petition from Grades 5 & 6 Students: Date Change for Trick or Treat

Heard prior to Public Hearing portion of the meeting; see above.

2. Security Cameras

The Town Administrator has received two proposals for security cameras. Proposals were based on the recommended locations of the cameras. V. Morgan didn't feel all the security cameras were needed. He suggested one camera in the entryway door. Cameras won't prevent something from happening. M. Sodini felt if cameras were going to be installed, it should be done as presented. K. Forrest requested that Chief Laurent be asked to comment. J. McDevitt was not ready to vote on security cameras. Chair Penacho felt they were located where they should be and there should be one in the parking lot. J. McDevitt stated that the Board needed to know the reason for security cameras. If it was for security, he agreed with V. Morgan that only one camera would be needed. If expanding to other potential issues, more cameras would be needed. Chair Penacho felt one should be in the Tax Collector's office. He also agreed that there should be a camera in the parking lot. The Town Administrator added that the parking lot camera will cover the parking lot as well as the maintenance garage.

The Town Administrator stated she had asked about security cameras at the Transfer Station and salt shed. The cost was prohibitive due to distance; it was recommended that stand alone cameras be used in those locations.

Frank Catapano suggested that before cameras are installed, the Town Attorney and insurance company be contacted. It could be a liability issue. He also commented on the lack of lighting in the parking lot.

3. Tax Rate – Use of Fund Balance/Overlay

The Town Administrator explained that tax rates are starting to be set by DRA; she expects to start the process within the week. Prior to the tax rate setting, the Board must decide how much overlay needs to be raised for abatements and assessments (traditionally it's been \$25,000). The fund balance is \$924,000 (last year \$259,148 was used out of surplus; the Capital Reserve Fund was lapsed to surplus – balance of \$202,143); without using any of the fund balance this year, there will be \$867,148 in the fund balance. If revenues are not changed, the tentative tax rate is projected to be \$15.85. If the estimated revenue is increased by \$30,000 the tax rate would be \$15.81 (tentative).

MOTION: M. Sodini moved to approve the overlay at \$25,000. Second – K. Forrest; all in favor. MOTION CARRIED

MOTION: M. Sodini moved to increase revenue by \$30,000. Second – K. Forrest; all in favor. MOTION CARRIED

MOTION: M. Sodini moved to not use any fund balance to offset the tax rate. Second – K. Forrest; all in favor. MOTION CARRIED

4. Transfer Station Hours: Wednesday, November 26, 2014 & Wednesday, December 24, 2014

This year, the day before the holidays fall on a Wednesday and the Transfer Station is open.

MOTION: M. Sodini moved to not close the Transfer Station early on Wednesday, November 26, 2014, and close at noon on Christmas Eve, Wednesday, December 24, 2014. Second – K. Forrest; all in favor. MOTION CARRIED

The Town Administrator clarified that the employees would not get paid for the four hours the Transfer Station was closed on Christmas Eve. If they have a personal day, that can be used. The Town Administrator added that other Town employees were using vacation time if they choose not to work.

M. Sodini asked if stacking at the Transfer Station could be changed in front of the trash. He would like two lanes without backing up. Chair Penacho felt it would be better to wait until the repaving was done and have it lined at the same time. Paving was also discussed, and will not be done this year due to cost.

MOTION: M. Sodini moved to restripe two lanes in the opposite direction in front of the compactor at the Transfer Station, if the Town has a striper. Second – J. McDevitt; four in favor, one abstain (Chair Penacho). MOTION CARRIED

5. Timber Tax Warrant

The Board signed an Intent to Cut for 164 Tuttle Lane in August. A Report of Cut has been filed; the Timber Warrant is for \$212.09. DRA sets the value of the timber that was cut.

MOTION: V. Morgan moved to approve the Timber Warrant for 164 Tuttle Lane in the amount of \$212.09. Second – K. Forrest; all in favor. MOTION CARRIED

6. Coast Funding Request

The Coast request for funding is less than last year; the request is for \$11,946. Chair Penacho stated that in reviewing the survey, most of the riders are from Exeter and Newmarket. Portsmouth, Greenland and Stratham have reduced their funding.

MOTION: K. Forrest moved to not include funding for Coast in the 2015 budget. Second – M. Sodini; all in favor. MOTION CARRIED

7. Update - Remembrance Park Memorial

Wally Berg wants to park cars on the Green. The Property Maintenance Supervisor stated if it was not raining that day, there should not be a problem parking on the Green. The Town Administrator pointed

out that there needed to be consistency with parking: the craft fair will be held two weeks later. After a brief discussion, the Board consensus was that all parking would be done at the school. Special guest parking will be on Park Avenue.

8. Approval of Minutes: Monday, October 06, 2014

MOTION: M. Sodini moved to approve the minutes of Monday, October 06, 2014. Second – K. Forrest; all in favor. MOTION CARRIED

9. Other Business

Bond Reduction – Falls Way: Frank Catapano requested a bond reduction to zero for the Falls Way subdivision; those streets are complete. They have been reviewed and approved by the Town Engineer. The deed won't be accepted until the next meeting; there are minor details that need to be addressed. There are two cash bonds, totaling \$90,360.

MOTION: J. McDevitt moved to approve the bond reduction for Falls Way to zero; the bond amount was \$90,360. Second – V. Morgan; all in favor. MOTION CARRIED

Bond Reduction – Hickory Lane: Frank Catapano requested a bond reduction to \$23,936 for the Hickory Lane subdivision. It has been reviewed and approved by the Town Engineer.

MOTION: J. McDevitt moved to approve the bond reduction for Hickory Lane to \$23,936. Second – M. Sodini; all in favor. MOTION CARRIED

Capital Improvement Plan: The Planning Board will reach out to Department Heads regarding the CIP. The Town Administrator added that if a department has a request for the CIP, they must submit a person to sit on the committee.

Evaluations: Chair Penacho requested that evaluations be returned to the Board by Monday, November 03, 2014.

Health Insurance Rates: The Town Administrator should have rates next week. She has asked the HealthTrust rep for all available options and rates. The current \$5,000 deductible plan does not qualify for the HAS card. The Worker's Comp rate has been received; it increased from \$68,000 to \$83,000. There was a 3% increase across the board as well as the modification rate.

Personnel Policy: A work session will be scheduled to review the Personnel Policy.

IV. ACCOUNTS PAYABLE – THURSDAY, OCTOBER 23, 2014

1. Payroll Manifest 22

MOTION: K. Forrest moved to approve Payroll Manifest 22 in the amount of \$51,930.84. Second – J. McDevitt; all in favor. MOTION CARRIED

2. General Fund Manifest 22

MOTION: J. McDevitt moved to approve General Fund Manifest 22 in the amount of \$54,486.36. Second – V. Morgan; all in favor. MOTION CARRIED

3. Medical Deductible Expendable Trust Manifest 21

MOTION: V. Morgan moved to approve Medical Deductible Expendable Trust Manifest 21 in the amount of \$1,976.67. Second – K. Forrest; all in favor. MOTION CARRIED

4. Police Special Revenue Fund Manifest 09

MOTION: J. McDevitt moved to approve Police Special Revenue Fund Manifest 09 in the amount of \$47,375.30. Second – V. Morgan; all in favor. MOTION CARRIED

V. ADJOURNMENT

MOTION: V. Morgan moved to adjourn at 10:15 p.m. Second – K. Forrest; all in favor. MOTION CARRIED

NEXT MEETING

Monday, November 03, 2014 – Town Hall Conference Room, 7:00 p.m.

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, November 03, 2014