



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, June 13, 2016 – 7:00 p.m. – Town Hall Conference Room

Members Present: Vaughan Morgan, Jim Rolston, Paul Sanderson

Members Absent: Kevin Forrest

Late Arrival: John McDevitt

Staff: Karen Anderson – Town Administrator

Chair Morgan opened the Board of Selectmen meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

I. APPOINTMENT

1. Debbie Beck – Van Etten Drive Drainage Plan

Debbie Beck has spoken with the Town Engineer regarding the drainage on Van Etten Drive. It was her opinion that when the subdivision was sold, there was the intent it was going to be maintained as an agricultural vista. When the State didn't continue the drainage across Rt. 33 and the water was directed across the field, the swale had to be maintained; she did that for a number of years. She also paid to have the culvert on his property replaced in an effort to maintain the water. Currently, the water is not flowing as it did in the past. The Town Engineer had mentioned an Alteration of Terrain permit and digging out to her side of the culvert. D. Beck felt the best way to deal with the problem was to maintain the swale. She added the basic maintenance of a swale was that it be mowed. Her concern was that it could be a problem if there is a lot of rain.

Chair Morgan stated the drainage problem was a Planning Board issue rather than that of the Board of Selectmen. P. Sanderson added that the Town Engineer had outlined his recommendation in a letter to the Selectmen as well as the Planning Board. Nothing done during construction was out of compliance with the necessary permits. As the grass was growing in over the longer drainage, the flow was slowing down. The Town Engineer also recommended extending onto D. Beck's property and doing the swale differently. D. Beck is willing to mow the swale to the Van Etten Drive culvert. She added that the swale on the other side of the culvert should also be maintained. D. Beck didn't have a problem with the Town Engineer's recommendations, but felt it should be mowed initially; that's how it's been maintained every year. Digging it out may create a problem on her side of the culvert. P. Sanderson clarified that the Town Engineer did not recommend changing culvert sizes on Van Etten Drive; he did recommend minor excavation for more storage capacity.

John McDevitt arrived.

J. McDevitt asked D. Beck to clarify that she didn't want the channel maintained but wanted to mow for now. D. Beck agreed, adding that the swale should be maintained and it hasn't been. On the Conservation Easement, the Town is the grantee; the grantors are Brian Beck and Troy and Diane Thibodeau. In her opinion, they have the responsibility to agriculturally maintain the property and the drainage. Her goal is to get the drainage fixed as efficiently as possible. J. McDevitt asked for clarity on whose responsibility it was to maintain the field. P. Sanderson stated it was B. Beck and T. Thibodeau until the Home Owners Association was created. The Town Engineer had previously stated that the swale could be mowed without a permit, but a permit would be needed if it was changed.

Chair Morgan stated that T. Thibodeau has offered to correct the drainage problem, conditionally. His condition was that the junk in D. Beck's back yard be cleaned up. D. Beck responded that it will be removed. She added that she may be relocating old farm equipment to that area. P. Sanderson noted that if the equipment was functional, it would be fine. If it becomes non-functional and goes beyond 500 sq. ft., it will be a problem. She could apply for a junk yard permit and screen it if it goes beyond 500 sq. ft.

J. McDevitt asked if there was an answer to who was going to mow the field. P. Sanderson felt they should return to the Planning Board for modification; he was surprised that Area A2 was restricted by DES to be wildlife habitat. He thought it was going to be an agriculturally restricted area that could be mowed and remain open. Chip Hussey stated it had been discussed and the HOA was going to maintain the area. P. Sanderson added that not maintaining the swale may cause harm on the drainage side.

J. McDevitt suggested that T. Thibodeau be contacted and made aware that the Planning Board may want to discuss the drainage issue. Chair Morgan will contact T. Thibodeau.

II. APPROVAL OF MINUTES

1. Monday, May 30, 2016

P. Sanderson corrected that the machinery junk yard is 500 sq. ft., and not 5000 sq. ft. as stated in the minutes.

MOTION: *P. Sanderson moved to approve the minutes of Monday, May 30, 2016, as amended. Second – J. Rolston; all in favor. MOTION CARRIED*

III. OLD BUSINESS

1. 300th Anniversary

J. Rolston, Chair of the proposed 300th Anniversary Committee, informed the Board that he met with the Stratham Town Administrator regarding their time frame. He will be contacting the chairman of their 300th Anniversary celebration for tips and advice. It was suggested that there be a commemorative beer; C. Hussey has been appointed Chairman of the Beer Committee.

2. Platform Step at Transfer Station

At the last meeting, the Property Maintenance Supervisor told the Board that the platform would be highlighted; Chair Morgan stated that as of Saturday it was not done. P. Sanderson will touch base with the Property Maintenance Supervisor.

IV. NEW BUSINESS AND ADMINISTRATIVE

1. Review of Town Administrator's Weekly Report

The Town Administrator updated the Board on the RFP for Pavement Conditions Assessment. She also reviewed it with the Building Inspector, who has expertise in that area; he will help with the review process. The Property Maintenance Supervisor attended a presentation done by Street Scan; they do a similar road inspection using a van with infrared and scanning capabilities. An analysis of the roads are done while driving. A video is provided as well as grading and ranking. The project through Street Scan will cost \$15,000 to \$20,000; there will be an annual cost of approximately \$1,200. Street Scan will host the files and the Town will have access. Rye has used the program, and is happy with it. Prices from engineering companies have not been received; the deadline date is Thursday, June 23, 2016.

P. Sanderson stated the theory behind Street Scan is a roughness index. As roads degrade, the ride becomes rougher and rougher; towns try to keep their roads within a certain roughness index, keeping good roads good. A total reconstruction is done when the road reaches a specific roughness. He added that DOT uses similar equipment. The value of the data is that the Town will have a baseline on which to set a priority list.

2. Fiscal Impact Report – Transfer Station Fees

The Town Administrator prepared a report at the request of P. Sanderson on the revenue from the Transfer Station. There was discussion at the previous meeting regarding the potential of directing the revenue, or a percentage of the revenue, into a Special Revenue Fund to be used for larger purchases. The average annual revenue is approximately \$20,000 per year. There is currently a Capital Reserve Fund used for large equipment purchases. The Town Administrator explained the options available to the Board as well as the differences between the two funds. A Capital Reserve Fund is more transparent to the public than a Special Reserve Fund.

P. Sanderson noted that fees at the Transfer Station had been increased, and should create more revenue. He didn't feel the Board was ready to make a decision and they should look at the existing revenue streams. He added that he was trying to avoid warrant articles for small budget items, while trying to achieve what has been done in the Police and Fire Departments—a stream of revenue to do an orderly replacement of equipment. The Town Administrator explained that it works well for the Ambulance Fund and Special Detail because it's user fee revenue, and not revenue used to offset expenses.

P. Sanderson added that Public Works includes the Transfer Station.

3. Current Use Releases

Current Use releases were for two lots on Newington Road and one on Portsmouth Avenue, formerly the Paterson property on Newington Road.

MOTION: *J. Rolston moved to issue the Current Use Penalty Tax warrants for 16 and 28 Newington Road and 132 Portsmouth Avenue, in the amount of \$55,500 (\$18,500 each lot). Second – P. Sanderson; all in favor. MOTION CARRIED*

4. Abatement

The Town Administrator explained that one property owned by North Atlantic Energy, part of Seabrook Station, was assessed incorrectly.

MOTION: *J. McDevitt moved to approve the abatement for OP 4H in the amount of \$294. Second – J. Rolston; all in favor. MOTION CARRIED*

5. Families First Bus Parking

The Town Administrator was asked to update the Board on the parking of the Families First buses at the highway garage. The arrangement was approved by the Selectmen in 2009. The Board was provided with a payment history of the electric bill. Families First also paid to have an electrical outlet installed on the exterior of the building. The Property Maintenance Supervisor had spoken to P. Sanderson about his concerns with the storage of Town equipment and adequate access to power. P. Sanderson will follow through with the Property Maintenance Supervisor.

6. Other Business

The Town Administrator requested a non-public session at the conclusion of the meeting for the purpose of updating the Board on two abatement issues.

V. ACCOUNTS PAYABLE – THURSDAY, JUNE 16, 2016

1. Payroll Manifest 12

MOTION: *J. Rolston moved to approve Payroll Manifest 12 in the amount of \$53,705. Second – J. McDevitt*

DISCUSSION: P. Sanderson's contrarian comments pertained to the Property Maintenance Supervisor as a salaried employee; he wasn't sure if under FLSA he qualified and met all four parts of the Executive Test. The Town Administrator responded that they went through the Executive Test: he qualifies based on wages, the Board gave him responsibility over staffing, he supervises four part-time employees, and gives hiring and firing recommendations.

P. Sanderson's next contrarian comment: Officer Young accrued 137.5 hours over a two week period. He stated emphatically that he will not sign another payroll manifest with that amount of hours. The Town Administrator explained that the Personnel Policy was adjusted so they could not work more than 16 hours in a 24 hour period; he does not exceed 16 hours. P. Sanderson felt it was inappropriate and he would like to have further discussions on this issue. He was not impugning Officer Young's character or the fact that he was a hard worker; no one can work 70 hours a week repeatedly without there being an impact. Chair Morgan will discuss the issue with Chief Laurent.

J. McDevitt noted there are many roads in Town where dead limbs overhang and pose a hazard. He stated that it should be addressed by the Town.

MOTION: *J. Rolston moved to approve Payroll Manifest 12 in the amount of \$53,705. Second – J. McDevitt; all in favor. MOTION CARRIED*

2. General Fund Manifest 12

MOTION: J. McDevitt moved to approve General Fund Manifest 12 in the amount of \$73,430.47. Second – J. Rolston

DISCUSSION: P. Sanderson's contrarian remarks pertained to paying the City of Portsmouth \$11,725 for hydrant rental. The Town Administrator explained that this was an annual fee and is an increase over last year. P. Sanderson explained to those present that the City of Portsmouth takes 600,000 gallons of water every day from the Town and pays nothing in lieu of taxes; in turn, they charge the Town \$11,725 for hydrants on a short stretch of Portsmouth Avenue.

AMENDED MOTION: P. Sanderson moved to reduce General Fund Manifest 12 by \$11,725 and not pay the City of Portsmouth hydrant rental. Further, to approve General Fund Manifest 12 in the amount of \$61,705.47. Second – J. Rolston; all in favor. MOTION CARRIED

3. Fire/Safety Revolving Fund Manifest 08

MOTION: J. McDevitt moved to approve Fire/Safety Revolving Fund Manifest 08 in the amount of \$48.45. Second – P. Sanderson; all in favor. MOTION CARRIED

VI. NON-PUBLIC SESSION

MOTION: P. Sanderson moved to enter into non-public session at 8:10 p.m., RSA 91-A:3 (e) – Litigation. Second – J. Rolston; all in favor. MOTION CARRIED

MOTION: J. McDevitt moved to enter into public session at 8:28 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

VII. ADJOURNMENT

MOTION: J. McDevitt moved to adjourn at 8:28 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

NEXT MEETING

Monday, June 27, 2016 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, June 27, 2016