

MINUTES OF THE AUGUST 2, 2021 SELECT BOARD MEETING

Meeting held in the Hutton Room at the Stratham Municipal Center

MEMBERS PRESENT: Board Members Chair Mike Houghton and Vice Chair Joe Lovejoy.

MEMBERS NOT PRESENT: Allison Knab

ALSO PRESENT: Town Administrator David Moore and Police Chief Anthony King

At 7:00 pm Mr. Houghton opened the regular meeting.

Mr. Houghton asked for comments on the draft minutes. Mr. Lovejoy motioned to approve the July 19, 2021 minutes as presented. Mr. Houghton seconded the motion.

Mr. Houghton asked for comments on the Treasurer's Report. Hearing none, Mr. Houghton moved to the next item on the agenda.

Mr. Houghton moved to open the public hearing to discuss the renewal of the Comcast Cable Franchise Agreement. Mr. Lovejoy seconded the motion. All voted in favor. Mr. Moore introduced Kerriann Roman, attorney for Drummond Woodsum, who worked on the agreement. Attorney Roman clarified the agreement is only for cable tv; not internet. The Town does not have any input as to packages or pricing. Attorney Roman highlighted some changes the Town requested and Comcast agreed to. Federal law has recently changed, providing increased protection for the consumer. The Town included side letters along with, but not part of, the agreement. Comcast has agreed to the letters; they are currently working on the details. Doug Estrich, 68 Thornhill Rd., asked if there was anything restricting competitors from offering services in town. Attorney Roman acknowledged that it is difficult for competitors to come in, as Comcast owns the infrastructure. However, Comcast can't prohibit other attachments to the pole in order to avoid competition. This is regulated by the Public Utilities Commission. The Town doesn't control this; it is regulated by the State. Attorney Roman speculated that cable will eventually go by the wayside; only then will we see change.

Mr. Estrich has researched new technologies and discovered alternatives to cable. He suggested the Board make people aware of the alternatives. They continued to discuss competition. The town can facilitate competitors attaching to the pole by keeping our right of way process up to date. Mr. Moore said he welcomed meeting with Mr. Estrich to learn more about his research and Mr. Moore gave him his card.

Attorney Roman explained that the reason for a ten year contract as opposed to five is that it offers more protection for the Town and its residents. If another technology comes in and wants to provide the same service, this agreement has no bearing on preventing that.

Although the town has no control over rates, she distributed a recent rate sheet to the board so they would be aware of what Comcast is charging its customers.

Mr. Houghton asked for additional comments from the public on the renewal of the Comcast Cable Agreement. Hearing none, Mr. Houghton moved to close the public hearing. Mr. Lovejoy seconded the motion. All voted in favor.

Mr. Houghton read the factors required to be considered by NH municipalities in approving agreements with franchisees found in 53-C:3-a. Upon reading each of the six factors, the board discussed and found them to have been met with Attorney Roman providing demonstration of how each is met. In addition, Attorney Roman stated that an audit of a multiple question document (49) was sent to Comcast to make sure that their prior agreement had been complied with and followed through. According to the audit, every item has been confirmed.

Mr. Lovejoy motioned that all the factors under the RSA have been satisfied and that they will sign the renewal agreement effective September 2021, contingent upon satisfactory resolution of the side letters. Mr. Houghton seconded the motion. All voted in favor.

Public Comment

Resident Bettina Kersten wrote an email requesting a slower speed limit on Lovell Road. She cited statistics indicating a slower speed on that road would be safer. Mr. Houghton recognized that this request is consistent with the Master Plan and the Safe Routes to School recommendation, but he wanted to know on what basis a determination could be made. Police Chief Anthony King has monitored traffic in that area. Two speed studies have been done. Chief King explained that there are classifications of roads that are governed by an RSA law. Lovell is a Class 5 road and is deemed to be 35 mph. To change it, the Board would have to go through the public hearing process and get final approval from the State. He and his officers have been there daily and can see a need. There are other issues, in addition to speed; in that area. Traffic backs up on Gifford Farm Rd and then onto Lovell. However, Chief King said his biggest concern is the three way intersection - people tend to go right through it. They questioned if making a change on this road would initiate a request for changes on other roads. They discussed the process. Ms. Kersten urged them to consider her request for the safety of the pedestrians. There are no sidewalks, nowhere to step off the road. Mr. Lovejoy questioned how many students walk to school. Chief King confirmed that traffic and parking are issues there, indicating most students are driven. Ms. Kersten said that we need to encourage walking and suggested parents park at SHP and walk to the school instead of sitting in traffic. Mr. Houghton said it was worth looking into the process, as it is consistent with our Master Plan. Mr. Lovejoy was concerned about the ramifications changing the speed limit would have on other roads. He walks every day and recommended people be aware of their surroundings when walking. Mr. Moore stated that he would work with planning, DPW and Police to further advise the Board on what criteria should be used prior to adjusting a speed limit.

Mr. Houghton recognized Chief King to give his department report. Chief King stated delivery of the new cruiser is scheduled for the end of August. Painting has begun in the station. The Department has applied for two federal grants for body worn cameras. These are match programs. Chief King has identified a few different options for paying for the match the funds so that the total cost won't impact the taxpayers. He is working with the Towns IT Consultant Lee Todis on upgrading our internal storage capabilities so that the footage will be stored on a Town server. Doing so saves us a significant amount of money. Chief King went on to say that

the officers are very open to wearing the cameras and some have already used demos. They will make the public aware of the camera usage via social media posts and newsletters. The Board asked questions about IT protocols to safeguard the backups. Chief King explained that video retention is governed by law – the type of offense determines the length of time the video must be retained. They discussed the details. Mr. Moore reminded Chief King that, if we get the grants, a public hearing to accept the funds must be held. This would also increase public awareness.

Chief King explained a software product which assists with administrative issues and that can be funded through the Department's technology line item. He explained the benefits of the program and indicated he intended to purchase it.

Next Chief King described the Integrated Communication Assessment Tactics which is a program that gives officers tools on how to handle a situation involving a person with mental illness. Two officers were sent to the training. They are now certified and will be able to train the rest of the department. This is a law enforcement tool used to disarm, talk down or arrest the offender. They agreed that the public would be interested in knowing that our Police Department is developing this skill set.

Chief King reported on the Project Child Safe – Firearm Safety Program. This is a national program that gave us free firearm locks which will be passed out at National Night Out. Information about firearm safety and how to obtain the locks will be posted on the Police website.

National Night Out is tomorrow night.

Mr. Moore asked about next steps for CALEA. Chief King said that it is with the Commission. Only two minor issues were found. They will be invited to the conference in November and will be getting an award. As part of the process, there will be a community event to announce the accreditation.

At 8:19 pm Mr. Houghton made a motion to go into a non-public session per RSA 91-A:3,II (a) Personnel. Seconded by Mr. Lovejoy. Roll Call: Houghton – Yes, Lovejoy – Yes

At 9:45 pm Houghton motioned to leave the non-public session and seal the minutes noting that failure to do so may render the proposed action of the Board ineffective. Seconded by Mr. Lovejoy. Roll Call: Houghton – Yes, Lovejoy – Yes

Mr. Moore reported that he has been contacted by a CDC agency regarding a health study being conducted at Pease. They have requested to put up signs on public property. It is for public purpose to facilitate the message about the Pease study. The Board was supportive of the signs and specified areas where they would be allowed.

Reservations

Mr. Moore said that Cornerstone School is requesting use of the Scamman Pavilion for their practice sessions and requesting the fee be waived. Mr. Houghton approved the use and waived

the fee in support of Cornerstone's request. Mr. Lovejoy seconded the motion. All voted in favor.

Mr. Moore said that Joe Johnson has submitted an application to be a representative to the Rockingham Planning Commission. The Town Planner's memo on the subject was included in the Select Board's packet. Per the State RSA, these nominations are made by the Planning Board with appointment by the Select Board. Mr. Johnson was nominated by the Planning Board at its July 2021 meeting. It is a two year term expiring August 2023. Mr. Lovejoy motioned to advance Mr. Johnson as a representative to the Rockingham Planning Commission. Mr. Houghton seconded the motion. All voted in favor.

Mr. Moore indicated that PFAS remediation is ongoing. Residents have been very cooperative and understanding.

Next, Mr. Moore discussed the Local Fiscal Recovery Funds. He had previously outlined uses and potential uses. At that time, he didn't have our revenue loss calculation. Upon receiving the data, according to the formula, it appears that 100% of our allocation will be eligible for the more flexible uses under the LFRF program. He is going to be reassessing his previous work to identify eligible projects and will report out back to the Board.

Mr. Moore announced that the TMAC public forum is Wednesday. Mr. Lovejoy said he hopes to attend. Mr. Houghton will be at the Planning Board meeting that evening.

Mr. Moore briefly updated the Board regarding the drainage concern raised by the Shealey's at 34 Stratham Heights Road. Mr. Lovejoy reported out on an on-site meeting held with Mr. Mears, which the Shealey's joined. Mr. Mears is working on a proposal and estimate for work he would recommend and with which Mr. Lovejoy concurs. Mr. Moore will follow-up with Mr. Mears and provide further updates as appropriate.

Mr. Moore gave the Board an update on the minor office renovation proposal, which includes reprogramming the assessing office and work area. He indicated competitive pricing had been sought and the project has a \$24,900 price tag. He recommended assessing the budget closer to the end of the year before deciding to move forward and the Board agreed. The Board was supportive of the approach. The group restated the benefits associated with the change, which include repositioning the planner to be able to provide better desk coverage and be more accessible generally to the staff; alleviating cramped conditions in the Parks & Recreation office and increasing the quality (daylight) of their office space; as well as enabling the creation of additional meeting space.

At 10:04 pm Mr. Houghton motioned to adjourn. Mr. Lovejoy seconded the motion. All voted in favor.

Respectfully submitted,

Karen Richard, Recording Secretary