



# TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

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## MEMORANDUM

TO: Michael Houghton, Select Board  
Allison Knab, Select Board  
Joe Anderson, Select Board

FROM: David Moore, Town Administrator

DATE: March 15, 2022

RE: Select Board Agenda and Materials for the March 21, Regular Meeting

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Please allow this memorandum to serve as a guide to the Select Board Meeting agenda for March 21, 2022.

III. Consideration of Minutes – March 7, 2022

The minutes from your meeting on March 7, 2022 are included in your packet for your review and consideration for acceptance at your meeting.

IV. Treasurer Report (second meeting of the month)

V. Department Reports & Presentations  
Nate Mears – Director of Public Works

VI. Correspondence  
A. Request from Exeter Area Garden Club Concerning Bake Sales at Elections  
B. Resignation Letter from Chuck Law (Retirement)  
C. Unutilized Correspondence Regarding Herbicide Treatment

VII. Public Comment

VIII. Public Hearings, Ordinances and/or Resolutions

IX. Discussion of Monthly Reports – (second meeting of the Month)

The Select Board reserves the right to take up business in any order deemed appropriate by the Chair. A motion to enter Non-Public Session in accordance with RSA 91-A:3 may occur at any time during the meeting. Submission of items to be placed on the Agenda must be to the Town Administrator by 4 pm the Wednesday before the scheduled meeting.



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## X. New Business and Action Items

### A. First Select Board Meeting Following Town Meeting

#### a. Select Board Election of Officers

At the first meeting following the Town Meeting, the Board elects a Chair and Vice-Chair as well as attends to other organizational issues described below.

#### b. Select Board Adoption of Rules and Procedures

The Board has adopted Board Rules and Procedures annually. The current document in use is included in your packet for your review. If you have suggestions for improvement, I will be happy to hear from Board members before or during the meeting with topics you would like to see revisited and I will track them for the Boards discussion.

#### c. Select Board Adoption of Policies

For the past two years the Select Board has adopted a compendium of policies at its first meeting. The goal in doing so is to keep the policies in front of the Board and prompt the Board to revisit and refresh individual policies as needed.

#### d. Select Board and Board & Commission Liaison Assignments

In your packet you will find a spreadsheet that will prompt the Board for the various roles for Select Board members as official representatives to Boards & Commissions and representatives to other groups, and department-linkages. I have held over the 2021 information for reference only.

#### e. Select Board – 2<sup>nd</sup> Signer on Bank Accounts

Our bank accounts have two signers. Former Select Board Member Lovejoy served this role during the last several years. We would ask the Board identify a new Board member to take on this role.

### B. Wrap-up of Town Meeting

The item is for the purposes of reviewing Town Meeting 2022



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## **C. Fire Department – Transition to New Chief**

As you know, the membership of the Department elected a new Chief, Jeff Denton, who will replace Chief Larrabee who did not seek election. I have reached out to the new Chief and have offered time to meet and review the administrative, financial and personnel interactions of the department here at the Town Offices of his role and we plan to meet in the coming weeks.

## **D. Implementation of new Route 33 Heritage District (Article 6 from 2022 Town Meeting).**

Please see below a note from Mark Connors concerning the newly passed zoning.

The Route 33 Heritage District passed overwhelmingly at the Town Election on March 8, 2022. The updated zoning requires the Select Board to appoint a designee to the Route 33 Heritage District Advisory Committee within 120 days of the passage of the Ordinance. The Planning Board and Heritage Commission are also afforded the opportunity to make their own appointments. The Select Board's appointee could be a member of the Select Board or it could be anyone else appointed by the Select Board, so long as he or she is a resident of Stratham. The Ordinance encourages, but does not require, that at least one member of the Advisory Committee be a resident of the District.

The Board does have some time to address this, but it would be helpful for the Board to discuss how it would like to approach the appointment issue and if Town Staff should actively recruit for applicants. As far as a time commitment, there will be some initial work up-front to adopt guidelines and other introductory frameworks, however it should not be a very large time commitment moving forward and include no more than one meeting per month.

## **E. Discussion of Compliance with Zoning Ordinance and Demolition of Historic Properties**

At the request of the Mike Houghton I am including in your packet a memorandum from the building Inspector pertaining to fines for zoning violations in response a concern raised by the Heritage Commission concerning unauthorized demolition of historic properties.

## **F. Discussion of Large Groundwater Withdrawal Permit (Third Party Review)**



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At your meeting on February 22<sup>nd</sup>, the Board requested that I obtain a third-party review of the Large Groundwater Withdrawal Permit by Golf Club of New England for their seasonal withdrawal for irrigation purposes at the golf course. I am to receive the third party report on Friday the 18<sup>th</sup> and if received in time, I will include it in this packet. After a review of the documentation, I would look for guidance from the Board relative to submitting comments to DES as part of their review of the renewal application.

## **G. PFAS in Town Center**

### **a. Long-term study on PFAS management**

Underwood Engineers will be present to report out on the status of the engineering report funded by NH DES studying alternative available for the Town in managing the PFAS contamination in Town Center into the future.

### **b. Update on water quality discussions town-wide**

As you know, at Town Meeting a resident spoke regarding his homeowner associations' experience in responding to new drinking water standards for arsenic and the costs associated with compliance. We know this is a scenario facing at least two other large homeowner/condo associations and we are working to learn more about the challenges facing these residents. As a reminder, I along with Building Inspector/Code Enforcement Officer Jim Marchese will be participating in the first Seacoast Private-Well Water Initiative (week of March 21<sup>st</sup>) organized by the State of NH that will be a focused outreach effort to owners of private wells and providing free testing and assistance in interpreting and following-up on results.



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## XI. Town Administrator Report

I will present developments associated with open items and other business of the Town. If any Board member has a specific request of an item I cover at the meeting I welcome hearing from you at any time.

## XII. Informational Items

- A. Old Town Hall Annual Monitoring Report & Policy – Select Board copy
- B. Summary on RSA 91-A – Public Meetings
- C. Select Board Meeting Schedule – Revised 2-15-2022
- D. Draft 2022 Organizational Goals – Preparation for April 4 Goals Discussion

## XIII. Reservations, Event Requests & Permits

## XIV. Review of Recent or Upcoming Board & Commissions Agendas

## XV. Boards and Commissions Nominations & Appointments

- A. Appointments *for consideration*: Nancy Hunter for appointment to the Recreation Commission to fill the vacant position for a term of three years ending 2025.
- B. Appointments *to be voted on*: None for this meeting

## XVI. Miscellaneous & Old Business

## XVII. Adjournment



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## SELECT BOARD AGENDA

MARCH 21, 2022

7:00 P.M.

**A Non-public Session of the Board will begin at 6:15 p.m. at the Municipal Center**

**Hutton Room, Stratham Municipal Center  
10 Bunker Hill Avenue, Stratham, NH 03885**

This meeting of the Select Board will be held in the Hutton Room of the Stratham Municipal Center

The public may access this meeting at the date and time above using this conference call information. Please dial the conference number **(877) 205 7349** and input **2254** when prompted for a user pin/code.

If at any time during the meeting you have difficulty hearing the proceedings, please e-mail [dmoore@strathamnh.gov](mailto:dmoore@strathamnh.gov).

To access materials related to this meeting, please see this link:

<https://www.strathamnh.gov/select-board>

**There will be a non-public session of the Select Board beginning at 6:15 p.m.**

- I. Call to order
- II. Roll Call
- III. Consideration of Minutes – March 7, 2022
- IV. Treasurer Report (second meeting of the month)
- V. Department Reports & Presentations
  - A. Nate Mears – Public Works Department
- VI. Correspondence
  - A. Request from Exeter Area Garden Club Concerning Bake Sales at Elections
  - B. Resignation Letter from Chuck Law (Retirement)

The Select Board reserves the right to take up business in any order deemed appropriate by the Chair. A motion to enter Non-Public Session in accordance with RSA 91-A:3 may occur at any time during the meeting. Submission of items to be placed on the Agenda must be to the Town Administrator by 4 pm the Wednesday before the scheduled meeting.



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- B. Unutil Correspondence Regarding Herbicide Treatment
  
- VII. Public Comment
  
- VIII. Public Hearings, Ordinances and/or Resolutions  
  
There are none for this meeting.
  
- IX. Discussion of Monthly Reports – (second meeting of the Month)
  
- X. New Business and Action Items
  - A. First Select Board Meeting Following Town Meeting
    - a. Select Board Election of Officers
    - b. Select Board Adoption of Rules and Procedures
    - c. Select Board Adoption of Policies
    - d. Select Board and Board & Commission Liaisons
    - e. Select Board – 2<sup>nd</sup> Signer on Bank Accounts
  - B. Wrap-up of Town Meeting
  - C. Fire Department – Transition to New Chief
  - D. Implementation of new Route 33 Heritage District (Article 6 from 2022 Town Meeting).
  - E. Discussion of Compliance with Zoning Ordinance and Demolition of Historic Properties
  - F. Discussion of Large Groundwater Withdrawal Permit (Third Party Review)
  - G. PFAS in Town Center
    - a. Long-term study on PFAS management
    - b. Update on water quality discussions town-wide
  
- XI. Town Administrator Report
  
- XII. Informational Items
  - A. Old Town Hall Annual Monitoring Report – Select Board copy
  - B. Summary on RSA 91-A Public Meetings
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- XIV. Review of Recent or Upcoming Board & Commissions Agendas
- XV. Boards and Commissions Nominations & Appointments
  - A. Appointments *for consideration*: Nancy Hunter for appointment to the Recreation Commission to fill the vacant position for a term of three years ending 2025
  - B. Appointments *to be voted on*: None for this meeting
- XVI. Miscellaneous & Old Business
- XVII. Adjournment



## **MINUTES OF THE MARCH 7, 2022 SELECT BOARD MEETING**

Meeting held in the Hutton Room at the Stratham Municipal Center

**MEMBERS PRESENT:** Board Members Chair Mike Houghton, Vice Chair Joe Lovejoy. Allison Knab joined the meeting at 7:45 pm.

**ALSO PRESENT:** Town Administrator David Moore, Finance Administrator Christiane McAllister

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

Mr. Lovejoy motioned to accept the minutes from the February 3, 2022 and February 22, 2022 Select Board meeting. Mr. Houghton seconded the motion. All voted in favor.

Mr. Houghton called attention to the Treasurer's Report. Mr. Moore explained that work is being done to improve the report. Ms. McAllister detailed some of the improvements and reported out on discussions with the Treasurer concerning the timing of statements and that the two are recommending the Board plan on receipt of Treasurer's Report at the second meeting of the month. Mr. Houghton agreed with the suggestion and no other objections were registered.

Mr. Houghton recognized Library Director Lesley Kimball to give her department report. Ms. Kimball reported that Voter Information Night was a success with 90 people logging in and 50 people attending in person. The video recording has gotten 63.5 hours of viewing time. Continuing to offer remote availability is important and beneficial. Ms. Kimball anticipates increasing in person programming. The library has received a grant for civic engagement. The objective is to initiate community conversations regarding voting. She is reaching out to the community and hopes to begin holding meetings the second week in April. The goal is to generate a short term and one or two longer term projects.

Another grant they received is Quality of Place Grant. NH Listens (UNH Survey Center) will be conducting the survey. The library will hold focus groups around what makes this area a great place to live and develop ideas on how we can enhance that. She hopes to take advantage of information that's already been gathered, such as the Master Plan, and develop ideas from that.

Next, Ms. Kimball reported that the Library Trustees are working on the personnel policy. Ms. McAllister has been a resource for them, providing help with Dept. of Labor policy and definitions. A final draft is expected to be submitted in April to Primex for legal review. An effort is being made to conform procedures, using current Town policy as a guide. The Library has its own employment manual. Because the Trustees are the hiring/firing authority for the library, it is recommended they have their own personnel policy.

Ms. Kimball recalled that at a prior meeting, there was conversation regarding library usage. She explained the total (digital and physical) circulation has been the same for years, however the proportion has changed. In 2019, digital use is going up; physical use is going down. They are hoping that keeping the doors open for a full year and expanding the hours will increase the foot traffic.

Ms. Kimball reported on the study being done to reconfigure the library floor plan to enable it to be more beneficial for library patrons. They've narrowed it down to two designs. One is easier to implement, however the other, although more difficult, is more beneficial to overall goals. She listed the benefits including, being able to integrate and utilize outdoor space so it feels like one space and incorporating a meeting and gathering space for the community. A cost analysis will be the next step. Demolition and construction required with both plans.

Ms. Kimball wished Mr. Lovejoy well.

Mr. Houghton moved to public comment section of the agenda and recognized resident and former Town Administrator Paul Deschaine. Mr. Deschaine said he came to the meeting knowing it would be Mr. Lovejoy's last as a Select Board member. He wanted to thank Mr. Lovejoy and expressed appreciation for the time they worked together. Mr. Lovejoy thanked Mr. Deschaine for his kind comments.

Mr. Moore reported that preparations for election and town meeting are going well and final logistical preparations are being made.

Mr. Houghton directed attention to the Police Dept. body worn cameras. Mr. Moore said this was for information only. They are not ready for action on it. We are awaiting the terms of the grant. Mr. Houghton would like to know more about the selection process and the policy regarding legal review when the matter comes back before the Board.

Next Mr. Houghton moved to the park and turf item on the agenda. Mr. Moore recalled the Request for Proposals that Director of Public Works Nate Mears sent out for maintenance of the grounds at the parks and cemeteries. Mr. Mears recommends moving forward with Hillside Landscaping. Mr. Lovejoy motioned to accept the proposal from Hillside Landscaping and authorize the Town Administrator or the Director of Public Works to sign the contract. Mr. Houghton seconded the motion. All voted in favor.

Fire Chief Matt Larrabee joined the meeting. Mr. Houghton moved the conversation to the discussion of the Ambulance Contract. Chief Larrabee said that if Article 16 passes, they will be able to purchase a replacement for ambulance 2. The money will come from the ambulance account. He requested authorization to sign the contract, if the article passes, because the price is going up 7% on March 17 and he'd like to get it submitted prior to the price increase. In addition, we can get a discount if we pay the entire bill at once. Discussion ensued about selling it at state auction vs trading it in. It was decided to sell it at auction. Mr. Houghton motioned to authorize the Fire Chief to execute a contract with Greenwood Emergency Vehicles LLV for an ambulance related to warrant article 16 upon its successful passage at Town Meeting on March 12, 2022. Mr. Lovejoy seconded the motion. All voted in favor.

#### ADMINISTRATION

Mr. Moore reported that Mr. Mears will be at the next meeting for his departmental report and plans to introduce topics for revision to the solid waste ordinance for the Board consideration. Mr. Deschaine, as the Stratham Representative and Chair of Lamprey Regional Cooperative, said

he received an email today regarding unusual cost increases related to the pandemic and personnel affecting the Cooperative's contract with Waste Management. He will coordinate a meeting with the other members of the executive committee to discuss and report back to Town Administrator Moore as necessary.

Mr. Moore reported receiving notification that Officer Chuck Law will be retiring effective April 30, 2022. He anticipates Police Chief Anthony King will attend the next Select Board meeting to discuss the transition and next steps.

Mr. Houghton asked about pending legislation found in the informational items. Mr. Moore noted that we have been engaged with the legislators and sent two letters recently. He stated that House Bill 1033 regarding Municipal Lobbying, is of concern. This bill precludes towns from having their voices heard. It would limit the ability of elected officials to make representatives aware of issues that would directly negatively impact residents in cities and towns in NH. Mr. Deschaine added that he is following the issue for the town of Newington and the coalition communities have taken a stand against this bill. An amendment is pending which softens the rhetoric, but the effect is no less harmful. The Board supports writing a letter opposing the Bill.

#### APPOINTMENTS

Mr. Houghton noted there were two members up for reappointment to the Conservation Commission - William Kenny and Kyle Saltonstall. Mr. Lovejoy motioned approval of both applications to the Conservation Commission renewing their three year terms. Ms. Knab seconded the motion. All voted in favor.

At 8:30 pm Mr. Lovejoy motioned to adjourn. Ms. Knab seconded the motion. All voted in favor.

Respectfully submitted,

Karen Richard  
Recording Secretary

**From:** [Karen Richard](#)  
**To:** [David Moore](#)  
**Cc:** [Deborah Bakie](#)  
**Subject:** Election Bake Sales (Not this election!)  
**Date:** Monday, March 7, 2022 12:49:00 PM

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Joanne St. Laurent, Exeter Area Garden Club, wanted to know the policy on bake sales. Pre-Covid, they had had bake sales when the election was at the municipal center. With Covid and the change in location, will they be allowed in the future? I told her it may be a few weeks before we get back to her. (778-1165).

*Karen Richard*

Town of Stratham  
10 Bunker Hill Ave.  
Stratham, NH 03885  
603-772-4741 x187



# STRATHAM POLICE DEPARTMENT

Anthony J. King – Chief of Police

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76 Portsmouth Avenue, Stratham, NH 03885  
(603) 778-9691 – FAX (603) 778-6183

To: Chief King

From: Officer Law

Date: March 7, 2022

Subject: Retirement

This letter represents my official notice of retirement of my position of patrol officer within the Stratham Police Department. My final day will be April 30, 2022.

It has been with great pleasure to be alongside the individuals at the Stratham Police Department and I will always appreciate the experience and knowledge I gained during my time here.

I hope the notice-period is enough for you find a replacement. Furthermore, please let me know of any help that I could be to train or assist the person that will take over my position.

I also wish to stay employed as a part-time officer with this agency.

  
Respectfully Submitted

Chuck T. Law



Select Board  
Town of Stratham  
10 Bunker Hill Ave  
Stratham, NH 03885

March 10, 2022

To Whom It May Concern:

I am writing to inform you that Unitil and our qualified contractor will be conducting our integrated vegetation management program on our Sub-Transmission lines in parts of your city. Unitil intends to selectively apply herbicide to undesirable vegetation growing within the electric line rights-of-way.

This treatment will be performed by experienced State of NH Certified Applicators, authorized by Special Permit #SP-008, issued by the NH Division of Pesticide Control. In compliance with the State of NH, Code of Administrative Rules regarding public notification of herbicide treatments to rights-of-way, we have enclosed the following for your information and review:

1. "Herbicide Use Notification" – this notification includes a notification request coupon for individuals who own property over which the right-of-way passes, or whose property abuts the right-of way and who wish to be notified in writing thirty (30) days prior to any treatment. Coupons must be received no later than **April 1st, 2022**. Requests after this date will not be granted until the next treatment cycle
2. Copy of the Treatment Maps – these maps depict the location of the electric line rights-of-way intended for treatment
3. Copy of the Door Hanger Notification – this notification will be left with each right-of-way abutter, along with a copy of the "Herbicide Use Notification"
4. Additional Mail-in Notification-Request Coupons - equivalent to the number of landowners abutting or owning land on the right-of-way in the city/town for use by such landowners to request specific written notice

The enclosed "Herbicide Use Notice" will be published in a newspaper of statewide circulation and those of local circulation to help inform the public. Please also post this notice as you deem appropriate.

Unitil will be working very closely with all parties involved and any questions, concerns or comments about the integrated vegetation management program's herbicide treatment may be directed to me at 603-227-4652 between 7:00am and 3:30pm, Monday through Friday.

Thank you in advance for your assistance and cooperation with this project.

Sincerely,

Chris Moultrou  
Manager- Forestry Operations  
Unitil Corporation  
(O) 603-227-4652

# HERBICIDE USE NOTIFICATION

Unitil plans to apply herbicides along certain rights-of-way in New Hampshire in 2022. In accordance with administrative rules of the State of New Hampshire Pesticide Control Board, no application of herbicides shall be made to rights-of-way, during the months of June 15 through September 30, without first providing notification to Town officials, the public, and residences near the rights-of-way. This announcement serves to provide notification to the public.

The following herbicides will be selectively used to control certain tall-growing vegetation on the rights-of-way while leaving undisturbed low growing vegetation: **Rodeo** (Glyphosate), **Garlon 4 Ultra** (Triclopyr), **Arsenal Powerline / Stalker** (Imazapyr), **Escort XP** (Metsulfuron Methyl), **Krenite S** (Fosamine Ammonium), **Aquaneat** (Glyphosate) and **Aquamaster** (Glyphosate). Unitil will conduct maintenance on the following rights-of-way in the associated Towns, beginning no earlier than May 1st, 2022:

<i>Right-of-Way</i>	<i>Town</i>	<i>Right-of-Way</i>	<i>Town</i>
<b>3341/3352</b>	Exeter, Hampton Falls	<b>3341/3352</b>	Exeter, Hampton Falls, Stratham
<b>3347</b>	Exeter, Stratham	<b>3341/3352</b>	Stratham

Individual landowners whose property abuts the right-of-way, or over whose property the right-of-way passes, may request and receive individual notification thirty days prior to any treatment.

A Notification Request Coupon is provided below. To receive individual notification, fill out the Notification Request Coupon and return to the specified address. Coupons must be received by Unitil no later than March 25, 2022. Requests received after this date will not be granted until the next treatment cycle.

In addition to the Personal Notification by mail, as an individual landowner whose property abuts the right-of-way, or over whose property the right-of-way passes, you have the right to

request and receive the approximate date, plus or minus 5 days, that pesticides will be applied to the right-of-way in your area. Requests should be made to the contact listed below.

Rights-of-way are generally located away from streets and may be identified by locating a metal tag on a pole or structure with a number on it and usually appear with the right-of-way number. (see list above)

In accordance with State Regulations, it is the duty of each landowner or resident to make Unitil aware of the location of potentially affected private water supplies, and of any other environmentally sensitive areas where herbicide application should be further restricted.

**Further information may be requested by contacting, during business hours (Mon.-Fri. 7AM-3PM):  
Chris Moultroupe • Unitil, Manager Forestry Operations • Telephone (603) 227-4652**

## NOTIFICATION REQUEST COUPON

Name \_\_\_\_\_ Property Location: Town \_\_\_\_\_ Street \_\_\_\_\_

Street Address \_\_\_\_\_ Tel. # (home) \_\_\_\_\_ Tel. # (work) \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Line and Pole Numbers: \_\_\_\_\_

Other Landowner Location Information: \_\_\_\_\_

Sensitive Areas: \_\_\_\_\_

Landowner or Abutter requests notification of approximate date of application (Yes or No): \_\_\_\_\_

**Return to:** Unitil Forestry, Chris Moultroupe, 1 McGuire St, Concord, NH 03301



## Right Tree, Right Place

Before you plant that tree or shrub, consider its location. A small sapling can grow to be 40 feet tall and 40 feet wide or more. Bear in mind, too, that trees not only have branches up and out, but also roots reaching down and out. Roots can interfere with underground power lines, gas lines and other utility systems.

Follow these tips to plant safely:



Think about what is above and below. Call DigSafe® before any disturbance is scheduled to begin.

Plant your tree in the right space for its "adult size."

Do not cut down trees or branches near power lines yourself. Have it done by trained professionals or call Unitil. If a tree limb breaks off and lands on a power line, do not touch the limb or wire. Call Unitil immediately at (800) 852-3339 for Concord, NH area; (800) 582-7276 for Seacoast NH area; and (888) 301-7700 for North Central MA area residents.

## Preventative Vegetation Maintenance

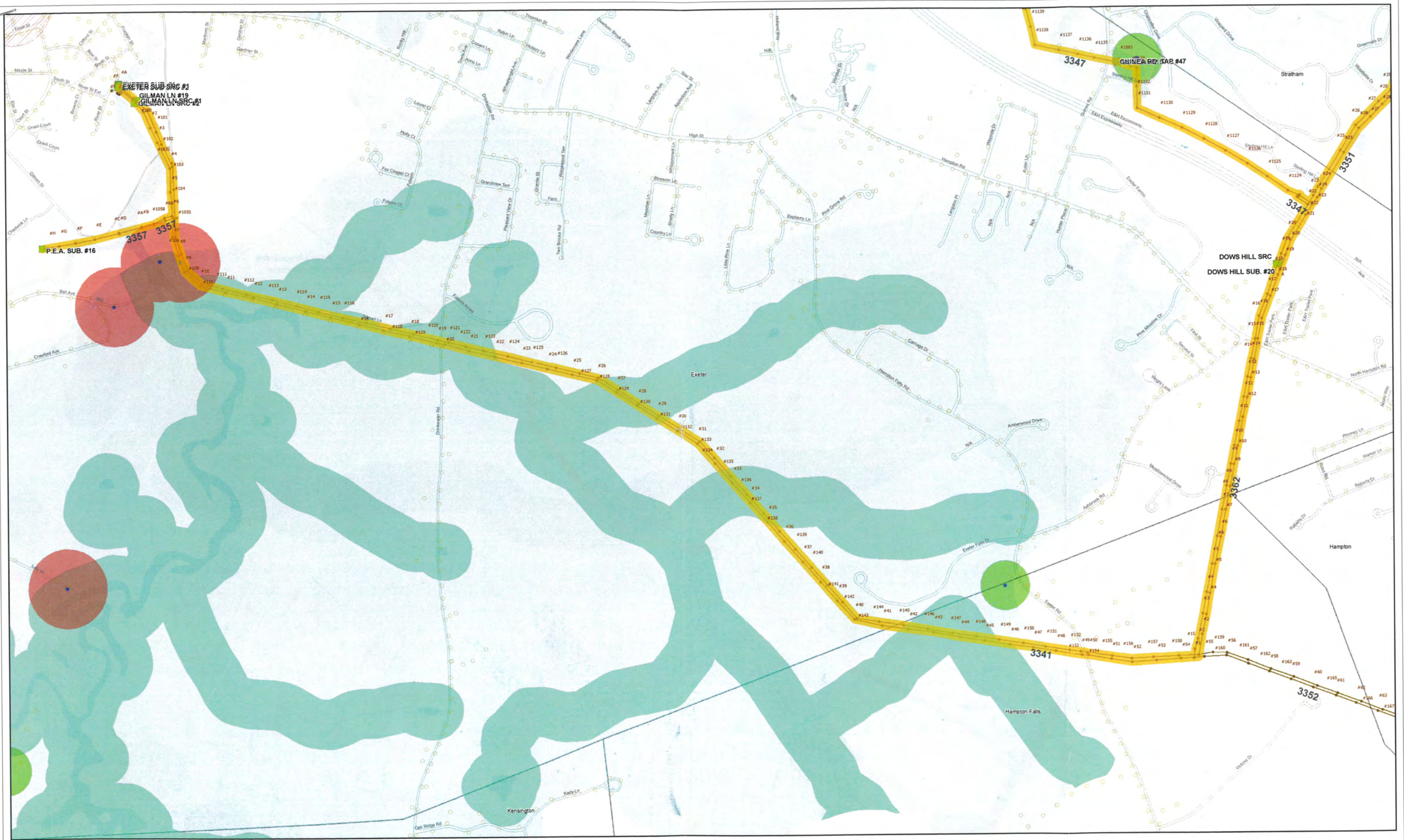
Trees growing near power lines can be dangerous. Unitil schedules tree pruning in your area every five years and notifies you of upcoming work before it begins. Our pruning plans include the systematic removal of vegetation growth and damaged or defective limbs along distribution circuits, along roadways and driveways. We use industry best management practices and techniques that minimize disease and decay entry points.

Trees deemed hazardous are removed though we try to maintain as much vegetation as possible using a technique called directional pruning. This pruning practice was developed in conjunction with the U.S. Forest Service and is endorsed by the International Society of Arboriculture, the National Arbor Day Foundation and other tree-care professionals around the world.

Herbicide application also allows us to keep power lines clear of tall growing undesirable plants while maintaining low growing desirable vegetation. It allows for low growing native vegetation to flourish, providing for wildlife habitat and food. These herbicides are some of the same products you may use to control vegetation around your home.







- Treatment Area
- Sub-Transmission Line
- Street ROW
- Sub-Transmission Poles
- Substation
- \* Public Water Supply Wells
- Private Wells
- 250' Surface Water Setback
- 5 Mile Watershed Buffer

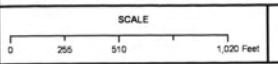
- Well Type: Other 250' Buffer**
- Active/Inactive**
- Active
  - Inactive

- Well Type: GPW/Null 400' Buffer**
- Active/Inactive**
- Active
  - Inactive



### 2022 Herbicide Treatment Area Seacoast 1 of 3

Disclaimer: Unil has prepared these maps based on best available information. The information provided is not warranted for accuracy and may be incomplete. Field verification is advised for all information shown on the maps.



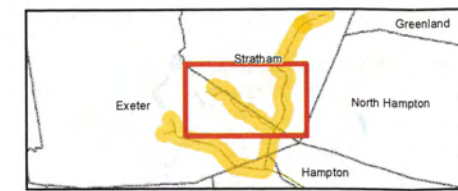
DATE  
11/16/2021







Treatment Area	Public Water Supply Wells	<b>Well Type: Other 250' Buffer</b>	<b>Well Type: GPW/Null 400' Buffer</b>
Sub-Transmission Line	Private Wells	<b>Active/Inactive</b>	<b>Active/Inactive</b>
Street ROW	250' Surface Water Setback	Active	Active
Sub-Transmission Poles	5 Mile Watershed Buffer	Inactive	Inactive
Substation			



**2022 Herbicide Treatment Area  
Seacoast 2 of 3**

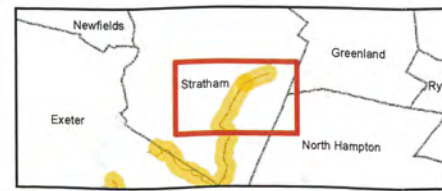
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SCALE 0 255 510 1,020 Feet		DATE 11/16/2021	
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Treatment Area	Public Water Supply Wells	<b>Well Type: Other 250' Buffer</b>	<b>Well Type: GPW/Null 400' Buffer</b>
Sub-Transmission Line	Private Wells	<b>Active/Inactive</b>	<b>Active/Inactive</b>
Street ROW	250' Surface Water Setback	Active	Active
Sub-Transmission Poles	5 Mile Watershed Buffer	Inactive	Inactive
Substation			



### 2022 Herbicide Treatment Area Seacoast 3 of 3

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SCALE 0 250 510 1,020 Feet	DATE 11/16/2021	
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## NOTIFICATION REQUEST COUPON

Name \_\_\_\_\_ Property Location: Town \_\_\_\_\_ Street \_\_\_\_\_

Street Address \_\_\_\_\_ Tel. # (home) \_\_\_\_\_ Tel # (work) \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Line and Pole Numbers: \_\_\_\_\_

Other Landowner Location Information: \_\_\_\_\_

Sensitive Areas: \_\_\_\_\_

Landowner or Abutter requests notification of approximate date of application (Yes or No): \_\_\_\_\_

*Return to: Unitil Forestry, Chris Moultrou, 1 McGuire St., Concord, NH 03301*

**TOWN OF STRATHAM,  
NEW HAMPSHIRE**

**SELECT BOARD POLICY:  
RULES OF PROCEDURE**



***Adopted February 5, 2007***  
***Revised November 17, 2008***  
***Revised April 9, 2018***  
***Revised May 14 & 21, 2018***  
***Revised September 21, 2020***  
***Readopted April 5, 2021***  
***March 21, 2022***

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**TOWN OF STRATHAM  
NEW HAMPSHIRE**

**Select Board Rules of Procedure**

The following Rules of Procedure were adopted by a majority vote of the Stratham Select Board on February 5, 2007. They were further revised by majority vote of the Select Board on November 17, 2008, April 9, 2018, and on May 14 & 21, 2018. They were again revised on September 21, 2020; this version was readopted on April 5, 2021 without changes from the previous reversion.

**Stratham Select Board**

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Michael Houghton,

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Allison Knab,

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Joseph Anderson, Jr.

Date of filing with the Office of the Town Clerk: \_\_\_\_\_

Received by: \_\_\_\_\_  
Deb Bakie, Town Clerk/Tax Collector

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**SECTION I  
GENERAL PROVISIONS**

**Rule 1. Select Board Meeting – Location and Posting**

All meetings of the Town of Stratham Select Board (the Board) shall be held at the Stratham Municipal Center, unless the Board adjourns to another location or the meeting is scheduled for another location and is properly noticed. In general, meetings of the Board must have at least 24-hour notice (not counting Saturdays and Holidays) prior to the meeting (RSA 91-A). Notice must be either published in a newspaper, or posted in two prominent public places and on the Town's Website. Other statutes may require longer periods for and/or different types of notice, such as public hearings, depending on the action being considered. (Added 5/21/2018)

**Rule 2. Select Board Meeting – Day and Time**

Meetings of the Town of Stratham Select Board shall begin on the first and third Monday at ~~7:30~~ 7:00 p.m., unless otherwise noticed, and/or continued to a specific time and date. (Revised 5/14/2018 and 9/21/2020)

**Rule 3. Select Board Meetings - Open to the Public**

All meetings of the Town of Stratham Select Board and Committees thereof shall be open to the public, except as provided for by RSA 91-A.

**Rule 4. Election of Officers**

Procedures for electing officers are as follows:

(A) Annually, at the first meeting of the new Select Board, the members thereof shall choose, from among their number, a Chair and a Vice Chair. In addition to the powers conferred upon the Chair and the Vice Chair, he/she shall continue to have all the rights, privileges, and immunities of a member of the Select Board.

(B) The above election shall be by a majority vote of the Select Board present at the first meeting after the close of the Annual Town Meeting.

**Rule 5. Presiding Officer**

(A) The Chair of the Select Board shall preside at all meetings of the Select Board, and be recognized as the head of the Town for all ceremonial purposes. The Chair has no regular administrative or executive duties. In

case of the Chair's absence or temporary disability, the Vice Chair shall act as Chair during the continuance of the absence. ~~In case of the absence or temporary disability of both the Chair and the Vice Chair, an acting Vice Chair of the Select Board selected by members of the Select Board shall act as the Chair during the continuance of the absences or disabilities.~~ The Chair of the Select Board or the Vice Chair is referred to as "Presiding Officer" from time to time in these Rules of Procedure. (Deleted 5/21/2018)

(B) The Presiding Officer shall preserve order and decorum, may participate in the discussion of any issue before the Select Board, may submit reports and legislation to the Select Board for its consideration, which shall require both motion and second by other members of the Select Board, may speak to points of order in preference to other members of the Select Board, and shall decide all questions of order or procedure, subject to appeal to the full Select Board ~~as provided for in Appendix A.~~ The Presiding Officer is allowed to vote on any matter before the Board with the exception of a vote concerning the Officer's ethical conduct. (Deleted 5/21/2015)

#### **Rule 6. Duties and Privileges of Select Board**

The duties of the Select Board shall be those defined within the town charter, local ordinance, and the state law. Members of the Select Board shall address the Board upon recognition by the Presiding Officer. Select Board members may submit reports and legislation upon their own motion for discussion by the Select Board as a whole. Comment and debate shall be confined to the subject matter of the question. No Select Board member shall be interrupted while speaking except for a point of order or correction of a mistake of fact.

#### **Rule 7. Quorum**

~~Three~~ Two Select Board members shall constitute a quorum for the conduct of town business. (Revised 4/9/2018)

#### **Rule 8. Select Board Meeting Agenda**

The Town Administrator or any member of the Select Board may place a matter upon the agenda. The Town Administrator shall arrange a list of such matters according to the order of business and prepare an agenda for review by the Chair of the Select Board. Upon approval, a copy of the agenda and supporting materials shall be prepared for all Select Board members. These materials shall be available at the Select Board's Office on the Friday preceding a scheduled meeting of the Select Board.

Matters submitted by members of the public must be received at the Select Board's office

by 4:00 PM on the Wednesday prior to a scheduled meeting in order to be considered for placement on the agenda. Due to scheduling and time constraints, an item submitted by the public is not guaranteed to be placed on the next meeting's agenda.

## **Rule 9. Order of Business**

Generally, the business of all meetings of the Select Board shall be transacted as follows; provided, however that the Presiding Officer may, during a Select Board meeting, rearrange items on the agenda to conduct the business before the Select Board more expeditiously.

- Call to Order
- Secretary's Report
- Treasurer's Report
- Chair's Report
- Park Permits/Municipal Center Rentals
- Department Reports (Projects, Issues, Reports Involving Town Staff)
- Public Hearings (if necessary)
- Old Business (Appointments and Continued Business)
- New Business
- Public Comment
- Other Business (Board Reports and/or Issues)
- Incoming & Outgoing Correspondence, Pending Items, Signing of Documents
- ~~Media Questions~~
- Non-public Sessions (if necessary)
- Adjourn

~~Adjournment: No meeting should be permitted to continue beyond 10:00 PM without approval of a majority of the Select Board members who are present and eligible to vote. A new date and time must be established before taking a Select Board vote to extend the meeting. In the event that a meeting has not been closed or continued by Select Board vote prior to 10:00 P.M., the items not acted on will be deferred to the next Select Board meeting, unless the Select Board, by a majority vote of members present, determines otherwise. (Deleted 11/17/2008)~~

## **Rule 10. Town Administrator**

The Town Administrator, as the chief executive officer, shall attend all meetings of the Select Board, unless excused by the Presiding Officer of the Select Board. The Town Administrator may take part in all Select Board's discussions on all matters on the agenda, and otherwise concerning the welfare of the Town. In the event that the Town Administrator is unable to attend a Select Board meeting, the Town Administrator may appoint another qualified staff member to attend the meeting on behalf of the Town Administrator.

**Rule 11. Clerk of the Select Board**

The Town Administrator shall be the Clerk of the Select Board and shall keep minutes and perform such other and further duties in the meeting as may be required. The Town Administrator may delegate any of these functions to a member of his/her staff.

**SECTION II  
DUTIES AND PRIVILEGES OF MEMBERS**

**Rule 12. Forms of Address**

The Chair of the Select Board shall be addressed as "Mr./ Madame Chair or as "Chairman (surname)." The Vice Chair of the Select Board, when acting for the Chair, shall be addressed in the same manner. Members of the Select Board shall be addressed as "Select Board member (surname)." This is an optional Rule that may be adopted at the annual organizational meeting.

**Rule 13. Seating Arrangement**

Select Board members shall occupy the respective seats in the Public Hearing Room as assigned to them by the Chair.

**Rule 14. Ethics Policy and Its Application.**

(A) Prior to any vote, each Select Board member should give consideration whether a potential violation of the Town Ethics Policy exists (See Appendix A). If the Select Board member believes a potential violation may exist, no matter how remote, the Select Board member should disclose such facts to the Presiding Officer.

(B) Whenever a Select Board member discloses there is a potential violation of the Ethics Policy, the Presiding Officer shall review the facts and rule whether the Select Board member shall vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Select Board.

(C) Any member of the Select Board seeking to disqualify a Select Board member from participating in a decision on the basis of a potential violation of the Ethics Policy must raise the challenge as soon as the basis for disqualification is made known or reasonably should have been made known prior to the issuance of the decision; upon failure to do so, the Ethics

Policy may not be relied upon to invalidate the decision. The party seeking to disqualify the Select Board member shall state, with specificity, the basis for disqualification. Should such challenge be made prior to the hearing or vote, the Presiding Officer shall review the facts and rule whether the Select Board member shall participate and/or vote in this instance. The Presiding Officer's ruling shall be binding unless overruled by a vote of the majority of the Select Board.

(D) The Presiding Officer shall have sole authority to postpone any matter or vote if and when a potential for a violation of the Ethics Policy exists in order for the Town Attorney to review the matter and render an opinion to the Select Board whether the Select Board member's participation would/would not violate the Town's Ethics Policy.

(E) After receiving the Town Attorney's opinion that a violation of the Ethics Policy exists, the Presiding Officer shall rule that the Select Board shall not participate and/or vote in the matter subject to the opinion. The Select Board, by a two-thirds vote, may override the Presiding Officer's ruling and the Select Board shall be permitted to participate and vote in the matter before the Select Board.

#### **Rule 15. Dissents and Protests**

Any Select Board member shall have the right to express dissent from or protest against any decision of the Select Board and have the reason therefore entered in the minutes.

#### **Rule 16. Rules of Order**

To the extent these rules and orders are not comprehensive, all questions of order shall be resolved by reference to Robert's Rules of Order, if need be. The Presiding Officer shall rule on all matters raised by this rule. At the annual organizational meeting, the Board shall adopt Robert's Rules of Order or such other written rules it deems appropriate and publish in Appendix B.

#### **RULE 17. Motions**

(A) Main Motions: Main motions, motions to take from the table, and motions to take up a question previously postponed are in order only when no other question is under debate. A main motion may be debated, amended, and reconsidered. Motions to take from the table or to take up a question previously postponed may not be debated, amended, or reconsidered.

(B) **Subsidiary Motions.** When a question is under debate, the following motions shall be in order according to the following priority:

(1) To adjourn (may not be debated, amended, or reconsidered) rendering the main motion moot if adopted.

(2) To lay the question on the table (may not be debated, amended or reconsidered) If adopted, this renders the main motion moot if not taken from the table before adjournment.

(3) To call the question (may not be debated, amended, or reconsidered).

(4) To postpone the question to a date certain (may be debated, amended, and reconsidered).

(5) To postpone the question indefinitely (may be debated, and reconsidered, but not amended) rendering the main motion moot if adopted.

(6) To commit or refer to committee (may be debated, amended, and reconsidered).

(7) To amend (may be debated and reconsidered, but not amended).

**Rule 20. Reconsideration and Recision.**

Following the final vote on a question, any Select Board member who the record indicates has voted with the prevailing side may move for reconsideration. No such motion shall be in order unless it is made at the meeting at which the Select Board acted on the question, or at the next succeeding meeting provided, written notice is provided in sufficient time for matter to be included as an item on the agenda of the next succeeding meeting. In the absence of such notice, no motion for reconsideration will be in order. A motion to reconsider is debatable provided the subject question was debatable. A motion to reconsider cannot be amended or reconsidered.

**Rule 21. Suspension of Rules.**

A motion to suspend these rules shall be in order at any time except during discussion. A motion to suspend shall require a two-thirds vote of those present and voting.

**Rule 22.     Actions for a Public Hearing**

The procedures for a public hearing are as follows:

(A) At the outset of each public hearing, the Presiding Officer will announce the purpose of the public hearing and ask the parties wanting to speak to limit their presentations to information within the scope of the matter before the Select Board.

(B) The Presiding Officer may call upon the Town Administrator or other appropriate party to describe the matter under consideration and/or read the public notice for the hearing.

(C) Each speaker, for and against the matter before the Select Board for public hearing, shall identify himself or herself by name and address. The Presiding Officer may limit the length of time allowed for speakers to address the Board.

(D) During the hearing, any Select Board member shall be permitted to ask the speaker questions provided they are relevant to the matter before the Select Board for Public Hearing. The Presiding Officer shall retain the right to determine the relevancy of any question.

(E) The Presiding Officer closes the public hearing.

(F) The Presiding Officer shall then inquire if there is a motion by any Select Board member. If a motion is made, it shall be in the form of an affirmative motion. Following the motion and its second, discussion occurs among Select Board members. The Presiding Officer may call on individual Select Board members in the discussion.

**Rule 23.     Voting**

The votes during all meetings of the Select Board shall be transacted as follows:

(A) The Presiding Officer may require any question to be submitted in writing before the vote, and shall state each question before the vote.

(B) Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of any Select Board member, a roll call vote shall be taken. The Presiding Officer shall determine the order of the roll call vote. In addition, the Presiding Officer may, at his sole discretion, require a show of hands to insure the proper

resolution of the vote. Secret ballot votes by Boards, Committees, and Commissions are illegal in New Hampshire.

(C) Every Board member who is in the hearing room when the question is called shall vote on the question before the Board. Board members may, for good cause, recuse from a vote should they feel that to vote would constitute a violation of the Town's Ethics Policy, or that their participation in debate or voting would constitute a conflict of interest or other similar disqualifying circumstances. That Select Board member shall at the beginning of the debate on any such motion announce their intention to recuse himself/herself and shall take no part in the debate and shall not vote on the issue. The recused individual shall physically remove himself or herself from their assigned seat until the disqualifying matter is no longer before the Board.

#### **Rule 24. Committees/Liaisons**

(A) Select Board Representatives: Select Board members may serve as representatives and/or liaisons to various town organizations and committees. These representatives shall be nominated and approved by the Select Board on an annual basis (usually at the first meeting following Town Meeting).

(B) Special Ad Hoc citizen advisory committees or task forces may be created by the Select Board for a particular purpose. The Select Board upon appointment of special ad hoc committees shall define in writing a specific charge and expiration date. All such committee members shall be nominated and approved by the Select Board. Ad Hoc committees expirations shall be set by the Board, but shall be no later than the date of the first meeting of a new Select Board held after the close of the Annual Town Meeting, unless specifically continued by the Select Board thereafter for a specified time period. One Select Board member, appointed by the Select Board, may serve as a representative to a citizen advisory committee as a voting member.

(C) The Town Administrator may assign Town employees to support various committees, but no staff person shall serve as a voting member of a study committee. This rule shall not preclude the Select Board from directly appointing Town employees to serve on a committee in an "ex-officio" non-voting capacity.

(D) Minutes of committee meetings shall be recorded in accordance with RSA 91-A, the NH Right to Know Law.



## **Rule 25. Applications/Nominations/Appointments & Reappointments**

The procedure for nominating and appointing residents to town boards, commissions and committees shall determined by adopted policy by the Select Board. At a minimum, that policy should address~~be as follows~~:

1. Opportunities to serve on newly formed committees and vacancies on existing boards and commissions under the appointment authority of the Select Board shall be advertised by posting on the Town's website, for at least a two week period prior to being filled.
2. The Town Administrator shall bring forth all applications received for each position to the Select Board Chair for inclusion on the Board's Agenda. Applicants for open positions, shall first be placed on a Select Board meeting agenda "for consideration", prior to being acted on at the next regular Select Board meeting. At the time a name appears for a second time on an agenda, it shall be referenced on the agenda as "to be voted" and likewise when the name is listed "for consideration".
3. Reappointments to Boards & Commissions shall be done following a submittal of an application for the new term. Existing members seeking reappointment shall submit a new application.

### **Rule 25A. Procedure of Single and Multiple Nominations**

(A) Single nomination. Whenever only one person is nominated to a particular position, the nomination shall be made by a member of the Select Board, and then seconded. Once seconded, a vote is taken. Should the person so nominated receive the majority of votes from that Select Board present, the nomination is confirmed. If the majority of that Select Board present votes not to approve the nomination, the nomination shall be considered rejected and the name removed from further consideration.

(B) Multiple nominations. Whenever there are multiple nominations for one position, each name will be placed in nomination with no requirement for a second, although a nomination may receive a second if a Board member wishes to do so. When all nominations are closed, each member of the Select Board shall have an opportunity to speak regarding the qualifications of nominees, and then each Select Board member shall cast a vote for no more than one name. The name receiving a majority of those Select Board members present and voting shall be deemed confirmed. Should no one nomination receive a majority of the vote and there are more than two

nominations for the one position, then the nomination with the least number of votes received shall be removed from the second round of voting. The Select Board shall then vote a second time on those nominations remaining. If the second vote fails to confirm an appointment, the Presiding Officer may order a third vote or declare the matter deadlocked and order the nomination be forwarded to the next meeting of the Town Select Board. In the case of only two nominations not receiving a majority vote, the Presiding officer may order a second vote or order the nomination be forwarded to the next meeting of the Town Select Board.

**Rule 26. Enacted Ordinances, Resolutions and Motions - Defined**

(A) An enacted ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the corporate affairs of the municipality. Select Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct, which continue in force until repealed, or where such conduct is enforced by penalty.

(B) An enacted resolution is an internal legislative action that is a formal statement of policy concerning matters of a special or temporary character. Select Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

(C) An enacted motion is a form of action taken by the Select Board to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

**Rule 27. Resolutions**

Each resolution may be voted and approved on the same day on which it was introduced. The title of each resolution shall in all cases be read prior to its passage; provided, should a majority of the Select Board members present request that the entire resolution or certain of its sections be read, such requests shall be granted.

**RULE 28. Ordinances**

The procedure for ordinances is as follows:

(A) With the exception of Franchise Ordinances and any ordinance that imposes a financial penalty, an ordinance may be voted and approved on the same day on which it was introduced. The title of each ordinance shall

in all cases be read prior to its passage; provided, should a majority of the Select Board members present request that the entire ordinance or certain of its sections be read, such requests shall be granted.

(B) Any ordinance that imposes a financial penalty shall require two readings prior to adoption. The second reading shall not be made at the same meeting at which the ordinance is introduced and read for the first time.

(C) Franchises. All resolutions and ordinances granting a franchise require two readings prior to adoption. The second reading shall not be made at the same meeting at which the resolution or ordinance is introduced.

(D) Emergency Ordinances. The Board may, without notice or hearing, adopt an emergency ordinance authorizing expenditures for a public emergency as defined and prescribed in RSA Chapter 107-C.

(E) Action on all ordinances and resolutions shall be governed by the following rules:

(1) Prior to action on any ordinance or resolution, the proponent of the ordinance or resolution may seek a motion to introduce the ordinance or resolution by title only and to waive a reading of the entire ordinance or resolution. If there is a second, and after discussion, the Presiding Officer shall call for the question and the Select Board shall vote whether to read the ordinance or resolution by title only. Lacking such a motion or should this motion fail, the ordinance or resolution shall be read in its entirety.

(2) The proponent shall then move the ordinance be read for the first time. If there is a second, and after discussion, the presiding officer shall call the question and the Board shall vote on the first reading of the ordinance or resolution. An affirmative vote of the Board shall constitute the first reading.

(3) After an affirmative vote on the first reading, the Board may vote to further study the ordinance or vote to place the ordinance on the agenda of a subsequent meeting for final action.

(4) At such time as further action is in order, any Board member may move that the ordinance or resolution be read for a second time. This motion shall be in order whether or not the ordinance or resolution was

amended during debate prior to the vote on the first reading or during committee deliberation.

(5) After an affirmative vote on the second reading, the ordinance or resolution shall be deemed effective and shall be signed by the Chair and dated with the date of the final Board action.

**Rule 29. Public Complaints and Suggestions**

When citizen complaints or suggestions are brought before the Select Board, other than for items already on an agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(A) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Select Board finds such complaint suggests a change to an ordinance or resolution of the Town, the Select Board may refer the matter to a committee, Administration or the Select Board as a whole for study and recommendation.

(B) If administrative, and a complaint regarding administrative staff performance, administrative execution, or interpretation of legislative policy, or administrative policy within the authority of the Town Administrator, the Chair should then refer the complaint directly to the Town Administrator for his/her review if said complaint has not been so reviewed. The Select Board may direct that the Town Administrator brief or report to the Select Board when his/her response is made.

## **APPENDIX A**

### **POLICY: ETHICAL CONDUCT**

The ethical Town official and employee accept the responsibility that his or her mission is that of servant and steward to the public.

Accordingly, it shall be the policy of the Town of Stratham that public officials shall:

- Properly administer the affairs of Town government
- Promote decisions that only benefit the public interest.
- Actively promote public confidence in government.
- Keep safe all funds and other properties of the Town.
- Conduct and perform the duties of the office diligently and promptly dispose of the business of the Town.
- Maintain a positive image to pass constant public scrutiny.
- Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
- Inject the prestige of the office into everyday dealings with the public employees and associates.
- Maintain a respectful attitude toward employees, other public officials, colleagues and associates.
- Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the Town.
- Faithfully comply with all laws and regulations applicable to the Town and impartially apply them to everyone.

Officials shall not:

- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- Improperly influence or attempt to influence other officials to act in his or her own benefit.
- Accept anything of value from any source that is offered to influence his or her action as a public official.

## **APPENDIX B**

**Optional Rules of Order:           None as of 09/21/2021**

## **Administrative Orders and Procedures**

2022

Town of Stratham  
Select Board

Adopted – March 21, 2022

In accordance with the Town of Stratham Select Board Manual, the Select Board - at its first meeting each year following the close of the Town Meeting – adopts its Administrative Orders and Procedures. The approval dates noted in the attached orders and procedures note the date of initial adoption by the Select Board. Revision dates are also noted.

### **List of Administrative Orders and Procedures**

1. Appointments to Boards & Commissions – Adopted November 9, 2020
2. Facility Reservation Policies and Procedures – Adopted in 2020
3. Political Advertising Relevant Laws & Policies – Adopted September 9, 2020
4. Parks, Area, and Facilities Naming Policy - August 19, 2020
5. Teleworking Policy – Adopted March 25, 2020
6. Investment Policy - Adopted in 2020, readopted annually by Select Board
7. Mailbox Policy – Adopted February 12, 2007
8. Social Media Policy & Guidelines – Adopted July 7, 2017
9. Winter & Inclement Weather Policy – Adopted May 16, 2005

### **Select Board Reference Documents**

Employment Manual – revised 2011, with Addenda

Memorandum of Understanding – Charitable Trust Unit - Stratham Fair

Recreation Revolving Fund Policy (a policy of the Recreation Board) - adopted 11-18-2020

Recreation Board Revised By-Laws (a policy of the Recreation Board) - adopted 2-12-2020

**Select Board - Board-Commission-Committee Assignments**

3/21/2022

**2021 Assignment****2022 Assignment****Notes:****Boards/Commissions**

Conservation Commission	Allison Knab		Statutory
Planning Board	Mike Houghton		Statutory
Heritage Commission	Mike Houghton		Statutory
Recreation Commission	Joe Lovejoy		Statutory
Public Works Commission	Joe Lovejoy		Statutory

**Committee/Association**

Fire Association	Joe Lovejoy		
Stratham Hill Park Association			
Budget Advisory Committee			
Fair Directors			
Energy Commission	Joe Lovejoy		

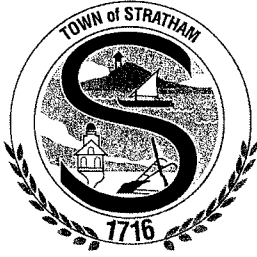
**Select Board - Department Linkages**

Fire	Joe Lovejoy		Jeff Denton
DPW	Joe Lovejoy		Nate Mears
Finance	Joe Lovejoy		Christiane McAllister
Parks & Recreation	Joe Lovejoy		Seth Hickey
Town Clerk/Tax Collector	Allison Knab		Deb Bakie
Library	Allison Knab		Lesley Kimball
Police	Mike Houghton		Anthony King
Planning	Mike Houghton		Mark Connors
Building/Code Enforcement			Jim Marchese
Assessing	Mike Houghton		David Moore

**Elected-Statutory Boards**

Supervisors of Checklist
Moderator
Trustees of Trust Funds
Cemetery Trustees
Library Trustees





# TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

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## MEMORANDUM

TO: Michael Houghton, Select Board Chair (Heritage Commission SB Representative)

FROM: Jim Marchese, Code Enforcement Officer / Building Inspector

DATE: March 7, 2021

RE: Enforcement Action by the Building Department

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I am writing in response to your 2/16/22 email regarding the Town's ability to impose financial penalties in the event of unauthorized demolition of historic structures in violation of the zoning ordinance.

The Town's zoning ordinance establishes the Building Inspection office as responsible for enforcement, proceedings, notices of violation and stop work orders (See attached excerpts from the Town of Stratham Zoning Ordinance). Enforcement also includes conditions of approval established by both the Planning Board and Zoning Board of Adjustment.

When this process is not successful, fines and penalties as found under RSA 676:17 (see attached RSA 676:17) can be imposed. Our ordinance requires the involvement of the Select Board prior to pursuing a penalty. The value of the fines issued are \$275 for a first offense; \$550 for second offense. The Town must go to District Court to collect the civil penalties allowed for under law (RSA 676:17-b II(h)), which allows the Town to receive up to 5 days worth of a first offense penalty through the District Court (\$1,375). There is a different process – accessing Superior Court – in order to impose injunctive relief (to stop something from happening that is imminent).

The value of these fines are set in state law and cannot be changed from one type of violation to another.

### ***Conclusion and Additional Discussion***

At this point in my 12-year career as Code Enforcement Officer / Building Inspector, the act of providing a violation notice has been successful to ensure voluntary compliance in the event of violations. However, I understand that violations of the ordinance when it comes to unauthorized demolition of structures older than 50 years old are almost always irreversible actions. Ensuring voluntary compliance is not practical after the fact; therefore I understand the desire to ensure a penalty would be enacted. Given that the Select Board must be involved prior to seeking fines and penalties, the Select Board would have the opportunity to advise on whether and how much to pursue rectifying a violating or seeking a penalty under RSA 676:17.

Here are some additional thoughts for consideration by Heritage Commission and Select Board

1. As always, education is the most important key to success by all parties. Avoidance of the enactment of RSA 676:17 is critical and voluntary compliance is our goal. I understand the Town has reminded the public about the Historic Demolition Review ordinance through the SB newsletter and I support these proactive efforts and welcome ideas for expanding on them.
2. I understand the new Route 33 zoning to be voted on at the March 8<sup>th</sup> Town Election will bring more pressure to the parcels in the new zone where this issue may become more prevalent.
3. At the staff level, we have discussed the potential for adding language to our building permits making residents aware of the Town's ability to follow-up on violations in accordance with RSA 676:17 and that court costs to collect penalties can be recuperated from residents adding significantly to the potential financial penalties.

Please do not hesitate to contact me if you have any questions or concerns.

cc: David Moore, Town Administrator  
Mark Connors, Town Planner

## CHAPTER 7-01 BUILDING ORDINANCE

- 1.3.1 **Buildings and Structures Affected:** The provisions of this Code shall apply to buildings or structures, as defined by the Stratham Zoning Ordinance, on land or over water, however placed, whether separate from or appurtenant to such buildings or structures and to their attendant sites. Such provisions shall apply with equal force to municipal, county or state buildings as they do to private buildings, except as may be specifically provided for by statute or ordinance. The provisions of this Code, based on occupancy, also apply to conversions of existing buildings and structures or portions thereof from one occupancy classification to another.
- 1.3.2 **Activities Covered:** No building or structure shall hereafter be constructed, altered, repaired, maintained or removed except in conformity with the provisions of this Code and without a building permit. No building shall be altered, maintained occupied or used in any manner which would be in violation of the provisions of this Code, or of any authorized rule or approval of the Building Inspector made and issued there under.

### Article V: ENFORCEMENT & VIOLATIONS

- 5.1 **Enforcement Authority:** It shall be the duty of the Code Enforcement Officer to make such orders and decisions, and to take any and all actions, as may be necessary to enforce the provisions of this Code. The Board of Selectmen shall have concurrent jurisdiction with the Code Enforcement Officer as to the enforcement of this Code, so that whenever the words "Code Enforcement Officer" appear in respect to enforcement provisions of this Code, the same may also be read, in the alternative, as the "Selectmen."
- 5.2 **Legal Proceedings:** It shall be the duty of the Code Enforcement Officer to take any appropriate action to prevent any violation of this Code, and it shall be the duty of the Town Counsel (subject to approval of the Selectmen), upon complaint of the Code Enforcement Officer, and with the approval of the Selectmen, to institute abatement, injunction, or other appropriate proceedings at law or in equity to restrain, prevent, enjoin, abate, correct, or remove such violations; provided, however, that the remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law, including proceedings against any violator of the provisions of this Code under the penalties section of this Code.
- 5.3 **Notices of Violations:** Whenever the Building Inspector is satisfied that a building or structure, or any work in connection therewith, the erection, construction, or alteration execution of which is regulated, permitted, or forbidden by this Code, is being erected, constructed or altered, in violation of the provisions or requirements of this Code, or in violation of a detailed statement or plan submitted and approved thereunder, or of a permit or certificate issued there under, the Code Enforcement Officer or Town Counsel on his request or behalf subject to the approval by the Selectmen, shall cause to be served by mail or in hand a written notice of order upon the person responsible directing discontinuance of such illegal action and the remedying of this condition that is in violation of the provisions or requirements of this Code.



- 5.4 **Stopping Work:** Whenever in the opinion of the Code Enforcement Officer, by reason of defective or illegal work in violation of a provision or requirement of this Code, the continuance of a building operation is contrary to public welfare, the Code Enforcement Officer, or Town Counsel, on his request or behalf subject to the approval by the Selectmen, shall order, in writing, all further work to be stopped and may require suspension of all work until the condition in violation has been corrected. The Code Enforcement Officer or the Selectmen shall suspend or revoke any building permit upon determining that the work or project in process is not in conformity with the permit as granted, or is otherwise in violation of the terms of the Building Code or Zoning Ordinance. In event of such suspension or revocation of a building permit, the work or project concerned shall immediately cease, or legal action to enforce such cessation shall forthwith be taken by the Selectmen.
- 5.5 **Disregard of Violation Notices or Orders:** In case a violation notice or order is not properly complied with, the Code Enforcement Officer or Town Counsel on his request or behalf, shall notify the Selectmen of such noncompliance. The Selectmen upon receipt of such notice shall institute an appropriate action.

#### **Article VI: PENALTIES**

- 6.1 **Noncompliance:** A person who shall violate a provision of this Code or who fails to comply therewith or with any violation notice or order issued to enforce the same or with any of the requirements thereof, or who shall erect, construct, maintain, alter, or repair, or have erected, constructed, altered, or repaired a building or structure or portion thereof or a site attendant thereto, in violation of a statement or plan submitted and approved there under, or of a permit or certificate issued there under, shall be subject to the fines and penalties set forth in RSA 676:17, as amended.

“Note: RSA 676:17 being the process of which the town seeks by means of injunctive relief through the court system.”

#### **Article VII: PROVISIONS FOR APPEALS**

- 7.1 **Appeals:** For the purposes of this Code, any person aggrieved, or any town official, may take an appeal to the Zoning Board of Adjustment from any decision of the Building Inspector and Code Enforcement Officer as authorized by RSA 674:34 and in accordance with the procedures set forth in Article XVII of the Zoning Ordinance, upon payment of such appeal filing fee as therein required.

Below is an interesting article found on the NHMA website that may further your understanding of the RSA.

TITLE LXIV  
PLANNING AND ZONING

CHAPTER 676  
ADMINISTRATIVE AND ENFORCEMENT PROCEDURES  
Penalties and Remedies

Section 676:15

**676:15 Injunctive Relief.** – In case any building or structure or part thereof is or is proposed to be erected, constructed, altered, or reconstructed, or any land is or is proposed to be used in violation of this title or of any local ordinance, code, or regulation adopted under this title, or of any provision or specification of an application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title, the building inspector or other official with authority to enforce the provisions of this title or any local ordinance, code, or regulation adopted under this title, or the owner of any adjacent or neighboring property who would be specially damaged by such violation may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, alteration, or reconstruction.

**Source.** 1983, 447:1. 1988, 19:5, eff. Jan. 1, 1989.

TITLE LXIV  
PLANNING AND ZONING  
CHAPTER 676  
ADMINISTRATIVE AND ENFORCEMENT PROCEDURES  
Penalties and Remedies

Section 676:17

**676:17 Fines and Penalties; Second Offense.** –

I. Any person who violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of \$275 for the first offense, and \$550 for subsequent offenses, for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier. Each day that a violation continues shall be a separate offense.

II. In any legal action brought by a municipality to enforce, by way of injunctive relief as provided by RSA 676:15 or otherwise, any local ordinance, code or regulation adopted under this title, or to enforce any planning board, zoning board of adjustment or building code board of appeals decision made pursuant to this title, or to seek the payment of any fine levied under paragraph I, the municipality shall recover its costs and reasonable attorney's fees actually

expended in pursuing the legal action if it is found to be a prevailing party in the action. For the purposes of this paragraph, recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to, inspection fees, expert fees and investigatory expenses.

III. If any violation of a local ordinance, code or regulation, or any violation of a planning board, zoning board of adjustment or building code board of appeals decision, results in the expenditure of public funds by a municipality which are not reimbursed under paragraph II, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the municipality for such funds so expended.

IV. The superior court may, upon a petition filed by a municipality and after notice and a preliminary hearing as in the case of prejudgment attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief which may be ordered or both. At the hearing, the burden shall be on the municipality to show that there is a strong likelihood that it will prevail on the merits, that the penalties or remedies sought are reasonably likely to be awarded by the court in an amount consistent with the bond sought, and that the bond represents the amount of the projected expense of compliance with the injunctive relief sought.

V. The building inspector or other local official with the authority to enforce the provisions of this title or any local ordinance, code, or regulation adopted under this title may commence an action under paragraph I either in the district court pursuant to RSA 502-A:11-a, or in the superior court. The prosecuting official in the official's discretion may, prior to or at the time of arraignment, charge the offense as a violation, and in such cases the penalties to be imposed by the court shall be limited to those provided for a violation under RSA 651:2 and the civil penalty provided in subparagraph I(b) of this section. The provisions of this section shall supersede any inconsistent local penalty provision.

**Source.** 1983, 447:1. 1985, 103:25; 210:4. 1988, 19:6, 7. 1996, 226:5, 6. 1997, 92:4, 5. 2004, 242:1. 2006, 101:1. 2009, 173:1, eff. Sept. 11, 2009.



# TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

## STRATHAM HERITAGE COMMISSION PRESERVATION EASEMENT ANNUAL MONITORING REPORT

PROPERTY: 151 Portsmouth Avenue (see R.C.R.D. Bk. 5963 Pg. 2295)

DATE: February 11, 2022

INSPECTED BY: Nathan Merrill, Heritage Commission Rep. and Jim Marchese, CEO

APPROVED BY: 

### PRESERVATION EASEMENT REQUIREMENTS TO VERIFY ANNUALLY:

1. **PROHIBITED ACTIONS:** Check to ensure that none of the following has occurred over the past year, or will occur over the coming year:
  - a. Structure shall not be demolished, removed, or razed. ✓
  - b. No action shall be undertaken which would adversely affect structural soundness. ✓
  - c. Nothing shall be erected or be allowed to grow on the property which would impair visibility of the structure. ✓
  - d. Dumping of ashes, trash, rubbish, and any other unsightly or offensive material on the property is prohibited. ✓
  - e. No additional driveways, roads or overhead utility lines shall be placed on the property. ✓
  - f. No removal, filling, or other disturbance of the soil surface or topography. ✓
  
2. **GRANTOR'S RESERVED RIGHTS:** Has there been, or will there be, a change in use of the property, or repairs or maintenance conducted on the structure(s)? If NO, check here:  and skip the rest of this section. If YES, review easement terms and these guidelines for compliance:
  - a. Acts and uses of the property are unlimited so long as they:
    - i. Comply with governmental regulations ✓
    - ii. Do not impair preservation values of the structure ✓



- iii. Are consistent with the provisions of the covenants and preservation easement
    - b. The right to maintain and repair the structure strictly according to addenda A1 & A2.
      - i. Grantor must use like-kind materials and workmanship to that of the original rehabilitation or the original structure, as documented in the state historic register form and photographs.  (see below)
      - ii. Changes in appearance, materials, or workmanship must be approved in writing by Grantee.
    - c. The right to undertake unlimited modifications to the interior, with the condition that such alterations do not:
      - i. Alter any aspect of the exterior of the structure.
      - ii. Conflict with the provisions of addendums A1 and A2.
3. REVIEW OF STRUCTURE(S): Conduct a thorough walk-around of the exterior of the building(s). Check for the following:
- a. Condition of the site/grounds: (see below)
    - i. Are plants or trees encroaching on the structure? No
    - ii. Is water from roofs, sidewalks, parking lots, driveways being adequately diverted away from the foundation and walls? Yes
    - iii. Is the site clean of debris, etc.? Yes
  - b. Condition of the foundation: cracks, palling, water infiltration, rodent infiltration?
  - c. Condition of the walls: paint, siding, trim? Good
  - d. Condition of the roof and gutters (if applicable)? Good (what was seen)
  - e. Condition of exterior doors and windows: Good
    - i. Do they open/close properly and seal adequately?
    - ii. Do they require maintenance (glazing, sealing, painting, etc.)?
  - f. Condition of chimney(s) if applicable: missing bricks, stone, or mortar?
  - g. Condition of porches, decks, sheds, garages, outbuildings (if applicable)? Good
    - i. Is the decking and understructure sound and free of rot?
    - ii. Are stairs and steps sound and with appropriate handrails?
  - h. Check attic and basement for water infiltration, rodent damage, rot, etc.  
Attic checked and is good. Apartment rental space on bottom floor not reviewed however it was reported to leak during extreme weather events. Will correct in spring
  - i. If the easement includes interior restrictions, inspect each area for compliance with the easement terms.
4. OBSERVATIONS: Did you observe any of the following? If yes, please describe and document with photo(s):
- a. Any significant modifications, alterations, or repairs to the structure(s)?  
No  Yes \_\_\_
  - b. Any violations of the terms of the Preservation Easement?  
No  Yes \_\_\_
  - c. Any other issues or areas of concern with the structure(s) or maintenance:  
No \_\_\_ Yes  (see attached photograph pg. 4)
  - d. Is/are historical marker signs (such as state or national register plaques or SHS placards) secured on the building as appropriate and in good condition?  
Yes  No \_\_\_



5. SUMMARY:

- a. Summarize any major work completed since the last monitoring report:
- b. Summarize any major work planned for the coming year: **Will re-paint / seal lower brick portion of north wall.**
- c. What is the overall condition of the property?  
Excellent  Good  Fair  Poor

6. OWNERSHIP: Has there been a change in ownership of the property?  No  Yes  
\*\*If yes, review easement terms prior to transfer with the seller and with the buyer.\*\*

7. REQUIRED INSURANCE: Grantor shall annually provide Grantee with certificate of casualty insurance, with Grantee named as additional insured, and which indicates Grantee shall be provided with 30 days advance notice of any termination or cancellation of said policy. **(see below)**

8. PHOTOGRAPHIC DOCUMENTATION: Attach a minimum of 4 photos (one of each side of the structure) to document the current condition of the structure on the date of inspection. Additional photographs should be included to document any areas of concern, deterioration, modification, or suspected violation of the terms of the preservation easement by grantor, tenants, or abutters of the property.  
**(see below)**

Required attachments:



Front (southeast wall)



Side (southwest wall)



Side (northeast wall)



northeast wall paint / seal failure  
(4c. area of concern)





Rear (northwest side)



Rear garage



Historic Marker sign at front entrance



Attic space



# EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)  
2/9/2022

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY THE ROWLEY AGENCY INC. 45 Constitution Avenue P.O. Box 511 Concord NH 03302-0511	PHONE (A/C, No. Ext): (603) 224-2562	COMPANY MMG Insurance Company PO Box 729 Presque Isle ME 04769-0729
FAX (A/C, No.): (603) 224-9012	E-MAIL ADDRESS: thalstead@rowleyagency.com	
CODE: AGENCY CUSTOMER ID #: 00010095	SUB CODE:	
INSURED Town Center Condominium Association c/o Perlowski Properties, LLC PO Box 1137 Stratham NH 03885	LOAN NUMBER	POLICY NUMBER BP13903595
	EFFECTIVE DATE 5/29/2021	EXPIRATION DATE 5/29/2022
	CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:		

**PROPERTY INFORMATION**

LOCATION/DESCRIPTION  
Loc# 00002/Bldg# 00001  
151 Portsmouth Ave  
Stratham, NH 03885

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

**COVERAGE INFORMATION**

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Building, Replacement Cost, Special (Including theft) - Detail	715,350	1,000

**REMARKS (Including Special Conditions)**

**CANCELLATION**  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**ADDITIONAL INTEREST**

NAME AND ADDRESS Town of Stratham 10 Bunker Hill Ave. Stratham, NH 03885	<input checked="" type="checkbox"/> MORTGAGEE	<input type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
LOAN #		
AUTHORIZED REPRESENTATIVE C Holman, CPCU, CIC/CH <i>Christina Holman</i>		

ACORD 27 (2009/12)  
INS027 (200912).02

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Preservation Easement 7 (Certificate of Insurance)



# TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

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## STRATHAM HERITAGE COMMISSION

### PRESERVATION EASEMENT ANNUAL MONITORING INSTRUCTIONS

By the end of each calendar year, the following should take place:

1. A representative of the Heritage Commission (HC rep) should coordinate with the Town's Code Enforcement Officer / Building Inspector (CEO/BI) and schedule the annual site inspection with the property owner (PO).
2. The HC rep should review the preservation easement document and past annual monitoring report(s) prior to the site inspection.
3. On the date of the site inspection, the HC rep and CEO/BI should:
  - a. Meet with the PO to view the property and review the terms of the easement; and
  - b. Inspect the use and condition of the property to ensure its compliance with the easement terms; and
  - c. Take photographs that document the current condition of the structure(s) and property, taking extra photographs if needed to document any particular areas of concern or potential violation of the easement; and
  - d. Complete the Annual Monitoring Report (AMR) in writing; and
  - e. Review the AMR and any areas of concern or potential violation with the PO.
  - f. Obtain proof of insurance from the PO.
4. After the site inspection the HR rep or CEO/BI should complete a typewritten AMR with photographs attached and a cover letter. If there are areas of concern or potential violation of the easement, the Town should work in a cooperative manner with the PO to ensure correction of any problems. If the PO is not cooperative, then the legal process outlined in the easement must be followed. Copies of all documents shall be provided to:
  - a. Town Administrator
  - b. CEO/BI
  - c. HC chairperson
  - d. Property owner(s)
5. The HC rep or HC chairperson should report on the monitoring visit and any follow-up activities to the full Heritage Commission at its next meeting. The AMR should be attached to the meeting minutes.
6. The Town Administrator or the Select Board representative to the HC should report on the annual monitoring visit and AMR to the full Select Board at its next meeting.



# TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

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## STRATHAM HERITAGE COMMISSION PRESERVATION EASEMENT ANNUAL MONITORING REPORT

PROPERTY: \_\_\_\_\_

DATE: \_\_\_\_\_

INSPECTED BY: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

### PRESERVATION EASEMENT REQUIREMENTS TO VERIFY ANNUALLY:

1. **PROHIBITED ACTIONS:** Check to ensure that none of the following has occurred over the past year, or will occur over the coming year:
  - a. Structure shall not be demolished, removed, or razed.
  - b. No action shall be undertaken which would adversely affect structural soundness.
  - c. Nothing shall be erected or be allowed to grow on the property which would impair visibility of the structure.
  - d. Dumping of ashes, trash, rubbish, and any other unsightly or offensive material on the property is prohibited.
  - e. No additional driveways, roads or overhead utility lines shall be placed on the property.
  - f. No removal, filling, or other disturbance of the soil surface or topography.
  
2. **GRANTOR'S RESERVED RIGHTS:** Has there been, or will there be, a change in use of the property, or repairs or maintenance conducted on the structure(s)? If NO, check here: \_\_\_ and skip the rest of this section. If YES, review easement terms and these guidelines for compliance:
  - a. Acts and uses of the property are unlimited so long as they:
    - i. Comply with governmental regulations
    - ii. Do not impair preservation values of the structure
    - iii. Are consistent with the provisions of the covenants and preservation easement
  - b. The right to maintain and repair the structure strictly according to addenda A1 & A2.
    - i. Grantor must use like-kind materials and workmanship to that of the original rehabilitation or the original structure, as documented in the state historic register form and photographs.

- ii. Changes in appearance, materials, or workmanship must be approved in writing by Grantee.
    - c. The right to undertake unlimited modifications to the interior, with the condition that such alterations do not:
      - i. Alter any aspect of the exterior of the structure.
      - ii. Conflict with the provisions of addendums A1 and A2.
3. **REVIEW OF STRUCTURE(S):** Conduct a thorough walk-around of the exterior of the building(s). Check for the following:
- a. Condition of the site/grounds:
    - i. Are plants or trees encroaching on the structure?
    - ii. Is water from roofs, sidewalks, parking lots, driveways being adequately diverted away from the foundation and walls?
    - iii. Is the site clean of debris, etc.?
  - b. Condition of the foundation: cracks, palling, water infiltration, rodent infiltration?
  - c. Condition of the walls: paint, siding, trim?
  - d. Condition of the roof and gutters (if applicable)?
  - e. Condition of exterior doors and windows:
    - i. Do they open/close properly and seal adequately?
    - ii. Do they require maintenance (glazing, sealing, painting, etc.)?
  - f. Condition of chimney(s) if applicable: missing bricks, stone, or mortar?
  - g. Condition of porches, decks, sheds, garages, outbuildings (if applicable)?
    - i. Is the decking and understructure sound and free of rot?
    - ii. Are stairs and steps sound and with appropriate handrails?
  - h. Check attic and basement for water infiltration, rodent damage, rot, etc.
  - i. If the easement includes interior restrictions, inspect each area for compliance with the easement terms.
4. **OBSERVATIONS:** Did you observe any of the following? If yes, please describe and document with photo(s):
- a. Any significant modifications, alterations, or repairs to the structure(s)?  
No  Yes
  - b. Any violations of the terms of the Preservation Easement?  
No  Yes
  - c. Any other issues or areas of concern with the structure(s) or maintenance:  
No  Yes
  - d. Is/are historical marker signs (such as state or national register plaques or SHS placards) secured on the building as appropriate and in good condition?  
Yes  No
5. **SUMMARY:**
- a. Summarize any major work completed since the last monitoring report:
  - b. Summarize any major work planned for the coming year:
  - c. What is the overall condition of the property?  
Excellent  Good  Fair  Poor

6. OWNERSHIP: Has there been a change in ownership of the property? \_\_\_ No \_\_\_ Yes  
\*\*If yes, review easement terms prior to transfer with the seller and with the buyer.\*\*
7. REQUIRED INSURANCE: Grantor shall annually provide Grantee with certificate of casualty insurance, with Grantee named as additional insured, and which indicates Grantee shall be provided with 30 days advance notice of any termination or cancellation of said policy.
8. PHOTOGRAPHIC DOCUMENTATION: Attach a minimum of 4 photos (one of each side of the structure) to document the current condition of the structure on the date of inspection. Additional photographs should be included to document any areas of concern, deterioration, modification, or suspected violation of the terms of the preservation easement by grantor, tenants, or abutters of the property.



# PUBLIC MEETINGS

**BASIC RULE:** All meetings of public bodies must have proper notice and be open to the public.

- *Public body:* All committees, subcommittees, boards, commissions, agencies, etc. that perform a governmental function for a town, city, village district or school district. RSA 91-A:1-a.
- *“Meeting”:* The convening of a quorum (majority) of any public body to discuss or act on any of that body's business, including work sessions. It is a “meeting” whether the members convene in person, by telephone, or electronic communication, or in any other way in which all members may communicate with each other contemporaneously. **However**, legal meetings may never be conducted by email or any other format which does not comply with notice and public accessibility requirements, or which does not allow the public to hear, read or discern the discussion contemporaneously at the noticed meeting location. RSA 91-A:2.
- *What is not a meeting?* Gatherings of fewer than a quorum; consultation with legal counsel; chance or social meetings neither planned nor intended to discuss official matters and at which no decisions are made; strategy or negotiations regarding collective bargaining.
- *Notice:* Minimum of 24 hours (not including Sundays or holidays), either published in a local newspaper or posted in two prominent public places, one of which may be the public body's website. RSA 91-A:2. Other statutes or local rules may require more notice.
- *“Open to the public”:* Anyone, not just local residents, may attend, take notes, record and photograph the meeting. However, except as required in a public hearing, the public has no guaranteed right to speak. RSA 91-A:2.
- *Telephone participation:* Boards may (but do not have to) allow one or more members to participate in a meeting by telephone or other electronic means (RSA 91-A:2), if:
  - Physical attendance is not reasonably practical (note in meeting minutes);
  - All members can simultaneously hear and speak with each other;

- Except in an emergency, a quorum is physically present in the noticed meeting location;
- All parts of the meeting are audible or otherwise discernible to the public in that location.
- *Deliberations:* Public bodies may only deliberate in properly held meetings and may not use communication outside a meeting (such as sequential emails or phone calls) to circumvent the spirit or purpose of the law. RSA 91-A:2-a.

**MINUTES:** Must be kept for all public meetings and made available to the public upon request within five business days after the meeting (whether or not approved yet). Must include members present, others participating, and a brief description of subjects discussed and final decisions made. RSA 91-A:2.

**NONPUBLIC SESSIONS:** Meetings or portions of meetings that the public may not attend. Begin in a properly noticed public meeting. A motion for nonpublic session is made and seconded, citing the statutory reason, and a majority roll call vote is taken. Once in the nonpublic session, only the reason(s) cited in the motion may be discussed. Minutes must be kept and (unless the board votes to seal them) made available to the public upon request within 72 hours after the meeting, whether or not approved yet. RSA 91-A:3. Nonpublic sessions are allowed only for reasons listed in RSA 91-A:3, II, including:

- Dismissal, promotion, compensation, disciplining, investigation or hiring of a public employee.
- Matters which would likely adversely affect the reputation of any non-board member.
- Buying, selling or leasing real or personal property if public discussion would give someone an unfair advantage over the municipality.
- Lawsuits filed or threatened in writing against the municipality, until fully adjudicated or settled.
- Preparation for and carrying out of emergency functions related to terrorism.

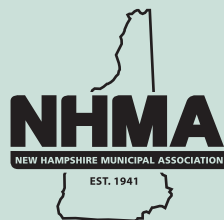
## RIGHT TO KNOW LAW

### LEGAL INQUIRIES:

800.852.3358, ext. 384

[legalinquiries@nhmunicipal.org](mailto:legalinquiries@nhmunicipal.org)

[www.nhmunicipal.org](http://www.nhmunicipal.org)



# GOVERNMENTAL RECORDS

**DEFINED:** Any information created, accepted or obtained by a quorum of a public body, or by a public agency (such as clerk's office, town administrator or police department), in any physical format, received in or out of a meeting, in furtherance of its official function. RSA 91-A:1-a.

**BASIC RULE:** Governmental records must be made available to the public upon request unless they are exempt from disclosure under RSA 91-A:5 or another statute. Electronic records are treated the same way as paper records in this respect. RSA 91-A:4.

**AVAILABILITY:** Records must be available during business hours at the premises of the public body. If not immediately available, respond within five business days: provide the record, deny it in writing with reasons, or acknowledge it in writing with a note of the time needed to respond. RSA 91-A:4.

- *Copies:* Anyone may make notes, tapes or copies. Never hand over without supervision or lend records out. Citizens may be charged the actual cost of providing the copies. RSA 91-A:4.
- *Format:* Maintain in a manner accessible to the public. May provide in any format the municipality already has, but if one is more convenient, it must be made available. May provide electronic records by access to a municipal computer, or by a copy in standard or common file formats, a printout, or any other means reasonably calculated to comply with the request. RSA 91-A:4.
- *Motive:* The reason for requesting a governmental record is irrelevant; do not even ask.
- *Raw materials:* Tapes and notes used to compile meeting minutes are governmental records as long as they are retained; policy to discard/reuse after minutes are approved is acceptable.
- *Partial release:* If only part of a record is exempt from disclosure, the remainder should be released. Redact the exempt portion(s).

**RETENTION OF RECORDS:** RSA Chapter 33-A:3-a governs the length of time records must be kept. Keep electronic records for the same length of time as their paper counterparts. RSA 91-A:4. However, if a record must be kept for more than 10 years, it must also be transferred to paper or microfilm. RSA 33-A:5-a. *Do not destroy a record after a request has been made for it until the request is fulfilled or disputed requests are fully resolved.* RSA 91-A:9.

**DELETING ELECTRONIC RECORDS:** Electronic records are not subject to disclosure under RSA 91-A after they have been "initially and legally deleted" so that they are no longer readily accessible to the public body or agency. A record is "legally" deleted if the retention period has ended and there are no outstanding or disputed requests for that item. *To "delete," you must empty the "Deleted Items" or "Recycle Bin" folder.* RSA 91-A:4.

## EXEMPTIONS TO THE DISCLOSURE REQUIREMENT INCLUDE:

- Records pertaining to internal personnel practices
- Medical, welfare, library user and videotape sales or rental records
- Confidential, commercial or financial information and any other record whose disclosure would be an invasion of privacy
- Notes or materials made for personal use that do not have an official purpose
- Preliminary drafts, notes or memoranda and other records not in their final form and not disclosed, circulated or available to a quorum of a public body
- Some law enforcement records (but not all)
- Written legal advice (until the client shares it with a third party outside the privilege)

## RIGHT TO KNOW LAW

### LEGAL INQUIRIES:

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# 2022 SELECT BOARD MEETING SCHEDULE<sup>1</sup>

Adopted by the Select Board on October 18, 2021 – **REVISED February 15, 2022**

<u>DATE OF MEETING</u>	<u>DEPARTMENT TO REPORT</u>
Monday, January 3, 2022	Police, 2022 Goals check-in
Tuesday, January 18, 2022	Assessing, Planning, Legislative Delegation
Thursday, February 3, 2022 <sup>2</sup>	Public Hearing on Budget/Warrant
Monday, February 7, 2022	Parks & Recreation
<b>Tuesday, February 22, 2022</b>	Town Meeting Preparations
Monday, March 7, 2022	Library, 2022 Goals check-in
Tuesday, March 8, 2022	Town Meeting (First Session - Ballot portion)
<b>Saturday, March 12, 2022</b>	<b>Town Meeting (Second Session)</b>
Monday, March 21, 2022	Public Works
Monday, April 4, 2022	Treasurer Report and Fire, Building
Monday, April 18, 2022	Assessing, Planning, 2022 Goals check-in
Monday, May 2, 2022	Police
Monday, May 16, 2022	Parks & Recreation
Tuesday, May 31, 2022	Library, Legislative Delegation
Monday, June 20, 2022	Public Works, 2022 Goals check-in
Tuesday, July 5, 2022	Fire, Building
Monday, July 18, 2022	Assessing, Planning
Monday, August 1, 2022	Police, Parks & Recreation
Monday, August 15, 2022	<i>Signatures meeting only, if needed</i>
Tuesday, September 6, 2022	Library
Monday, September 19, 2022	Public Works
Monday, October 3, 2022	Treasurer Report, Building
Monday, October 17, 2022	Assessing, Planning
Monday, November 7, 2022	Police, Fire
Monday, November 21, 2022	Parks & Recreation
Monday, December 5, 2022	Public Works
Monday, December 19, 2022	Fire, Building, 2022 Goals check-in

<sup>1</sup> For reference only, school vacation weeks are February 28 to March 4<sup>th</sup> and April 25 to April 29<sup>th</sup>

<sup>2</sup> In accordance with NH RSAs as summarized by NH Municipal Association, the last day to hold a public hearing on the budget is February 11, 2021. This date is subject to finalization.

## Draft 2022 Strategy-Organization-wide Goals and Objectives

1. Steward Water Resources Effectively and Proactively
  - Continue response to PFAS in Town Center including mitigation, ongoing testing & reporting, grant writing, and monitoring developments i.e. test results and impacted properties.
  - Inform the public about water quality threats to private drinking water wells and provide resources. Monitor challenges facing public water systems in Stratham.
  - Improve regulations to address source water protection
  - Plan for the future management of PFAS contamination in Town Center
2. Ensure Sustainable Future for Town Services
  - Build on Fire Department 2021 conversations
  - Attract candidates for positions resulting from attrition and funded in 2022 budget
3. Pursue Master Plan Implementation
  - Ensure rollout of Route 33 Zoning and establish processes
  - Issue Open Space RFP
  - Follow-up on Recommendations of Stratham Hill Park TMAC
  - Support Conservation Commission for preserving properties
  - Support Heritage Commission in preservation approaches and initiatives
4. Increase Efficiency and Modernize Business Practices
  - Improve regular reporting to Select Board to facilitate financial oversight
  - Support Finance Office in revised accounting processes and procedures
  - First quarter “go-no-go” on Permit Software
  - Undertake update to Employment Manual.



# TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue • Stratham, NH 03885

Voice (603) 772-7391 • Fax (603) 775-0517 • [www.strathamnh.gov](http://www.strathamnh.gov)

## COMMITTEE APPOINTMENT APPLICATION

- |   |   |
|---|---|
| <input type="checkbox"/> Heritage Commission                        | <input type="checkbox"/> Zoning Board of Adjustment       |
| <input type="checkbox"/> Planning Board                             | <input type="checkbox"/> Public Works Commission          |
| <input type="checkbox"/> Conservation Commission                    | <input checked="" type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Stratham Fair Committee                    | <input type="checkbox"/> Energy Commission                |
| <input type="checkbox"/> Exeter Squamscott River Advisory Committee | <input type="checkbox"/> Rockingham Planning Commission   |
| <input type="checkbox"/> Pedestrian & Cyclist Advocacy Committee    | <input type="checkbox"/> Other _____                      |

Nancy Hunter

603-773-9819

Applicant Name (print)

Phone #

2 Brown Ave

Nancy.Hunter766@gmail.com

Address

Email

Registered Voter of Stratham?  YES  NO Number of Years as a Resident 25

I would like to be considered by the Select Board for appointment to a town/board/commission/committee indicated above because:

Would like to give back to the town by  
helping with the rec. dept.

I feel the following experience and background qualifies me for this position:

I designed, and built the entire playground at SMS.  
Enjoy Stratham Hill Park and the trails.

Nancy E Hunter

Signature of Applicant

10 Mar 2022  
Date