

MINUTES OF THE SEPTEMBER 17, 2018 BOARD OF SELECTMEN MEETING

MEMBER'S PRESENT: Board Members Bob O'Sullivan, Joe Lovejoy, Mike Houghton and Town Administrator Paul Deschaine.

At 7:03 pm Mr. Houghton opened the public meeting of the Board of Selectmen.

MINUTES

Mr. O'Sullivan made a motion to accept the amended minutes of 9/10/18. Mr. Lovejoy seconded the motion which passed unanimously.

TREASURER

Town Treasurer Deb Bronson stated that the General Fund balance is \$7,429,618.59.

PUBLIC HEARING ON THE SMYK PROPERTY

Mr. Houghton summarized that Walter and Mary Smyk left their property to the Town to be used as a park. However, there are many restrictions that come with the bequest. A committee was formed to evaluate the bequest and the accompanying restrictions. The committee had concerns about encumbering the town with burdens due to the restrictions. Legal counsel was sought to obtain relief from the restrictions. A non-judicial settlement was reached. It address the issues and resolves concerns. This Public Hearing is the next step in the process. Mr. Houghton asked for public input. Mr. Deschaine further explained the details of the non-judicial settlement agreement and the laws regarding public hearings. Per the rules of the Public Hearing, Mr. Houghton asked if anyone had any concern of a conflict in this matter on the part of the Selectmen or officer of the Town. With nothing stated, Mr. Lovejoy made a motion to open the public hearing to hear from the public their questions, concerns, comments concerning the potential bequest of the Smyk property and the \$300,000 that would accompany it. Mr. O'Sullivan seconded the motion which passed unanimously. Many residents voiced support for acceptance of the bequest noting the beauty of the property and its access to adjoining conservation land. Mansi Saksena, 8 Chestnut Way, also believes it is important to honor the Smyk's wishes. Diana Lankler, 18 Gifford Farm Road, cited the proximity of the property to the Library making it ideal for children to go to the library to do homework, than go across the street to play. There was concern that if the land were developed it would increase traffic in an already congested area. Financial concerns were addressed by Dave Canada, 47 Bunker Hill Avenue, explaining that the \$300,000 endowment, if invested, would make the park self-sufficient in 8 years. He speculated that, if the property were sold it may be subdivided and built on, which would cost the Town in services. The lone dissenter was Jonathan Caldwell, 7 Drury Plains Rd, who reasoned that the Town would collect tax revenue if homes were built on the property. Additionally, he believes it is a poor location for gatherings due to traffic concerns. Attendees argued against Mr. Caldwell's statements, saying the cost for services would offset the tax revenue. Mr. Houghton said it is a professional/residential district so there is no guarantee homes will be built.

Hearing no more comments from the public, Mr. Lovejoy made a motion to close the public hearing. Mr. O'Sullivan seconded the motion which passed unanimously. Mr. Lovejoy made a motion that the Town of Stratham accept the Smyk bequest and the \$300,000 trust fund that

accompanies it conditioned on the non-judicial settlement agreement and with the finding, based on testimony tonight, there was adequate public benefit. Mr. O'Sullivan seconded the motion which passed unanimously. Mr. Houghton gave the many reasons why the Selectmen made this decision: it aligns with the Master Plan, supports the public's desire for open space, abuts conservation land, and is a generous gift. They signed the paperwork.

POLICE DEPT.

Police Chief John Scippa returned the warrant stating one dog is not registered; a complaint will be entered on the owner for failure to comply.

Next, he presented his department dashboard, saying he is paying particular attention to his budget for maintenance of the vehicles. He also reported on injury hours as measured in dollars (the overtime cost to replace them). He reported a 75% uptick in motor vehicle accidents from a year ago, however, most of the accidents occur in parking lots. Department sign lighting will be fixed Friday. They are waiting for the background check on a police officer candidate. The video system issues have been addressed. The School Response Plan is ready for release at the next Department meeting. They are continuing to work with the Parks & Recreation Department on their many programs. He talked about various trainings for the officers.

Mr. Houghton advised Chief Scippa to include the communication needs in the budget. He also wants him to give thought to succession planning, for himself and his staff, and metrics that will indicate when it will be time to hire additional staff. Chief Scippa spoke highly of his staff and felt confident in their talents and abilities. He has been developing them to take on other positions within the department.

Mr. Deschaine asked about other items on the Department list. They discussed the use of Narcan for officer and EMS safety. Stratham doesn't have a big opioid issue at this time. Chief Scippa went through the steps that would need to be taken to implement use of Narcan. The Selectmen requested this issue be resolved at his next department report.

Next they discussed the DARE Funds. Because the program is no longer in existence, the matter must be taken to court to authorize the funds to be used for something else, most likely another drug abuse prevention program. Chief Scippa has talked to the Stratham Memorial School principal and hopes to use the funds for a program there. It was decided that Chief Scippa will contact the Town attorney to get an opinion.

The Prosecutor has reviewed the draft of the Large Gathering Ordinance and has some reservations regarding the enforceability.

They talked about the bike safety and rules of the road postings on Facebook.

NEW BUSINESS

Town Planner Tavis Austin came before the Board to discuss the Notice of Intent for MS4 (Municipal Small Separate Stormwater Sewer) permit. The Seacoast Stormwater Coalition is working to standardize all communities' input to the EPA. Stratham only has two waterbodies within the MS4 area. Much of the MS4 doesn't apply to Stratham because we don't have

municipal water/sewer. The EPA is concerned with pollutants such as bacteria in the water. An information flyer will be sent out with the tax bills. Many of the MS4 requirements can be addressed by the Planning Board adopting stormwater regulations. The Public Works department has already adopted some of the steps toward compliance. One of the things we will need to do is to implement a monitoring program for the catch basins to ensure no contaminants are entering the water. Mr. O'Sullivan made a motion to authorize Mr. Deschaine to be the signatory for the small MS4 general permit. Mr. Lovejoy seconded the motion which passed unanimously. They discussed sweeping parking lots, both municipal and school, as one of the requirements. Mr. Austin continued to discuss the details of the MS4 requirements, noting sound environmental practices should always be followed, whether the government is requiring us to or not.

Parks & Recreation Director Seth Hickey came before the Board to discuss a flyer regarding the proposed skate park with an ambiguous, possibly misleading, statement. Mr. Hickey said the cards will be pulled and replaced. More appropriate wording was suggested. At the next Town Meeting, Mr. Hickey will have a proposal for building the skate park and will be seeking the residents' approval of the project. He gave the Selectmen a draft Request for Qualifications to be sent to vendors for the design of the skate park, independent of the location.

At 9:10pm Mr. Houghton made a motion to enter a non-public session to discuss two matters of personnel. Mr. Lovejoy seconded the motion which passed unanimously. Mr. Houghton made a motion to come out of the non-public session at 9:41pm and seal the minutes. Mr. Lovejoy seconded the motion which passed unanimously.

NEW BUSINESS, continued

The Cooperative Middle School Music Boosters requested a raffle permit. Mr. O'Sullivan made a motion to approve their request. Mr. Lovejoy seconded the motion which passed unanimously.

Mr. Deschaine announced this month is National Suicide Prevention Awareness month. He drafted a Proclamation based on a nationwide effort. Mr. Houghton made a motion to sign and present the Proclamation for National Suicide Prevention Awareness month. Mr. Lovejoy seconded the motion which passed unanimously.

Mr. Deschaine received a request from Peterborough urging Stratham to make a public statement regarding public education funding fairness. Mr. O'Sullivan explained that, in essence, we would be asked to fund schools in less well-off communities. The Board declined to participate. It is their feeling that school funding should come from a state level. They did not think it was in the best interest of Stratham.

The Multiple Sclerosis Society requested use of the Front Pavilion for their annual Seacoast Escape Charity Ride on August 24, 2019 and to have the fee waived. Mr. O'Sullivan made a motion to grant the request. Mr. Lovejoy seconded the motion which passed unanimously.

Newmarket Jr/Sr High School requested to use the Scamman Pavilion and have the fee waived. Mr. O'Sullivan made a motion to approve the request. Mr. Lovejoy seconded the motion which passed unanimously.

ADMINISTRATION

Mr. Deschaine said that there have been problems with some of the workstation computers. He and the new IT person, Lee Todis, determined that age of the machines is a big factor and recommends replacing 6. The money is in the budget. Mr. O'Sullivan made a motion to approve replacing the 6 computers. Mr. Lovejoy seconded the motion which passed unanimously. Computers are evaluated every 4 years plus; older ones may be replaced or redeployed in low priority uses. Mr. Houghton wants a written policy regarding computer evaluation and replacement.

Mr. Deschaine said that his assistant, Karen Richard is requesting to hold the employee holiday party at the Seadog in Exeter on December 6th and to expend no more than \$2,000. Mr. Houghton made a motion to approve the request. Mr. Lovejoy seconded the motion which passed unanimously.

Mr. Deschaine said that he will be attending the ICMA conference the week of September 24th.

The selectmen discussed having residents involved on the selection committee for the new Town Administrator. They will contact the nominees and continue the discussion at the next selectmen meeting, October 1st.

MEETINGS

Mr. Houghton reviewed the meetings of the coming week. The Route 108 Committee will be presenting the results of the survey on Tuesday, September 25th at 7:00pm and Saturday, September 29th at 10:00am. He then reviewed the meetings of the past week. The Heritage Commission met and maintains their strong commitment to Preservation Easements on the interior and exterior of the Bartlett-Cushman house. They are most likely going to seek public support to bring it to Town Meeting if the Selectmen want to sell the home without the interior preservation easement. Mr. Lovejoy said that he will not be present when the Heritage Commission comes before the Board on October 1, but he feels strongly against a preservation easement on the interior of the home. Mr. Deschaine attended the Legislative Policy Conference where he challenged a provision under the Right to Know law; he is seeking exclusion for building plans from the building permit files.

At 10:21pm Mr. Lovejoy made a motion to adjourn. Mr. O'Sullivan seconded the motion which passed unanimously.

Respectfully submitted,

Karen Richard
Recording Secretary