

**Town of Stratham  
Town Meeting Minutes  
March 13, 2012**

The ballot clerks were sworn in at 7:55 a.m. and 2:00 p.m. Present were Moderator Dave Emanuel, Assistant Moderator Jerry Howard, Town Clerk/Tax Collector Joyce Charbonneau, Deputy Town Clerk/Tax Collector Catherine Kenny, and Town Administrator Paul Deschaine. Also present were Selectmen David Canada and Timothy Copeland. The Supervisors of the Checklist present were Melanie McGrail and Caren Gallagher. The ballot clerks for the day were Pat Sapienza, Dianna Thompson, Johanna Greenlaw, Andra Copeland, Vic Collino, Diana Alsterberg, Natalie Perry, Ann Marie Peck, Penny O'Sullivan, Peg Mullin, Michael Perfit, and Liz Chisholm.

It was a quiet day with 621 votes cast at the Town election, with 29 of those being absentee ballots. This represented a 12% turnout of voters.

**Exeter Region Cooperative School District Ballot results for Stratham only are as follows:  
(\*Denotes the Winner)**

Cooperative School Board: For Exeter for three years, vote for one: Townley Chisholm 246. Margaret Bishop 277\*. For Newfields for three years, vote for one: Alicia K. Heslop 473\*. For Stratham for three years, vote for one: Helen M. Joyce 533\*. Cooperative School District Budget Committee: For East Kingston for three years, vote for one: David Pendell 466\*. For Exeter for three years, vote for one: Carl Robertson 478\*. For Stratham for three years, vote for one: Susan Canada 556\*. Cooperative School District Moderator for one year, vote for one: Charles F. Tucker 510\*.

Article 1:

Operating Budget: Yes 430\* No 174

Article 2:

Collective Bargaining Agreement between the Exeter Region Cooperative School Board (ERCSB) and the Exeter Area Administrators' Association. (2 years)

Yes 374\* No 230

Article 3

Collective Bargaining Agreement between the ERCSB and the Exeter Cooperative Paraprofessional Association. (3 years)

Yes 361\* No 244

Article 4

Collective Bargaining Agreement between the ERCSB and the Exeter Education Association. (2 years)

Yes 342\* No 267

#### Article 5

Expendable Trust Fund (Maintenance Fund)

Yes 467\* No 128

#### Article 6

Transfer of duties for the Trustee of Trust Funds for the Cooperative School District from the East Kingston Trustees to the Exeter Trustees.

Yes 447\* No 113

#### **Stratham Memorial School District Ballot Results are as follows:**

**(\*Denotes the Winner)**

School Board Member for three years, vote for two: Travis Thompson 513\* and Heidi Hanson 478\*. School District Clerk for three years, vote for one: Mikki Deschaine 550\*

#### **Annual Town of Stratham Ballot results as follows:**

**(\*Denotes the Winner)**

#### **Article 1:**

Selectman for three years, vote for one: Bruno Federico 533\*. Supervisors of the Checklist for six years, vote for one: Susan Hunter 548\*. Cemetery Trustee for three years, vote for one: John LaBonte 532\*. Library Trustee for three years, vote for two: Gerald "Lee" Beauregard 452\* and Connie Aubin-Adams 493\*. Trustee of the Trust Funds for three years, vote for one: Diane Morgera 531\*. Moderator for two years, vote for one: David F. Emanuel 564\*.

#### **Article 2:**

To amend the Zoning Ordinance, Section 5.8.4 Applicability to insert the following text "Special Commercial District" into Section 5.8.4 to further clarify and codify workforce housing and elderly affordable housing as a permitted use within the Special Commercial Zoning District through the issuance of a Conditional Use Permit.

Yes 422\* No 88

**The remaining Town of Stratham articles will be voted on Friday, March 16, 2012 at the Stratham Memorial School at 7:00 p.m.**

Town Moderator Dave Emanuel declared the meeting to come to order at 7:10 p.m. Chris Rowe led the Pledge of Allegiance. Moderator Emanuel then wished Chris a happy 80<sup>th</sup> birthday. Mr. Emanuel then went on to introduce everyone on the stage; the Board of Selectmen, (B.O.S.): Bruno Federico, Tim Copeland, and David Canada; the Town Administrator: Paul Deschaine, and the Town Clerk/Tax Collector: Joyce Charbonneau. Also introduced was Jerry Howard, the Assistant Moderator, and Catherine Kenny, the Deputy Town Clerk. Mr. Emanuel also introduced the Supervisors of the Checklist, Caren Gallagher, and Melanie McGrail. Mr. Emanuel then called for a moment of silence for all those serving in the Armed Forces, and for

those that could not be there tonight. Assistant Moderator Jerry Howard read the Dedication of the Town Report. This year's dedication was to Doug and Stella Scamman. Although they could not be present at this time, we were told that they were deeply appreciative of the honor. Dave Emanuel then read the results of the ballot voting on Tuesday, March 13, 2012. He stated there were no requests for recounts. Dave then explained the Rules of Procedure for Town Meeting.

**The following articles were discussed and voted on:**

**Article 3: Budget**

To see if the Town will raise and appropriate Five Million Two Hundred Sixty Eight Thousand Nine Hundred Thirty Dollars and no cents (\$5,268,930.00) to defray general town charges for the ensuing year. The Board of Selectmen recommends this article by unanimous vote. Selectman David Canada accepted the article as read. Selectman Tim Copeland seconded the motion. Selectman David Canada spoke for the motion. Mr. Canada first thanked the Budget Committee for all their hard work in this process. Mr. Canada then went on to review the budget and pointed out several valid points on the budget. Mr. Canada stated that one major drive throughout the budget was the payroll. He went on to state that we gave a 2% cost of living increase across the board to our employees, and there were also a few merit increases based on performance. Total payroll increased by about \$80,000.00, which included, COLA's, merits, step increases, and some added hours for some additional part-time help. He then went down the list to the first item, which were Elections. Mr. Canada explained that this year, there are four elections while last year there was only one, thus the increase on that line. The next item was Financial Administration, which includes bookkeeping and related financial management in the Town Clerk/Tax Collector's office, the Assessing Department, and Information Technology (I.T.). Mr. Canada explained that we had an increase in the I.T. office as the I.T. personnel, Paul Wolf has had an increase in hours to keep up with the expanding needs and preventive maintenance of the town offices, as well an increase in the software licenses and service contract expenses.

Mr. Canada went on to explain the following items: Personnel Administration was up \$29,000.00. These are expenses associated with payroll taxes which naturally go up as payroll goes up, as well as employee benefits. A new health insurance plan was also implemented this year, saving the Town \$3000.00 from last year. The employees chose to decrease their health insurance benefits, and in return, the Town froze their contribution to 20%; it had been scheduled to increase to 25% this year. There was a \$25,000.00 increase in the NH State Retirement Fund costs. General government buildings were up \$12,000.00 due to adding part-time custodial help. Also, the Stratham Historical Society building needs about \$8000.00 worth of work to complete the projects that were taken on last year. Mr. Canada stated that we also added \$2000.00 in maintenance expenses for the Foss property, which was a new item. The police department budget is up \$42,000.00. This was due to the pay scale being revamped. He stated that we raised the starting salary to \$20,000.00. Step increases are now at 2% every year for ten years, and then it is capped. This is in addition to any COLA's that would be given out across the board. Mr. Canada went on to explain that we also created a Corporal's position to help with administrative duties. We also added eight hours of civilian administrative help. We also added to the

overtime/on-call line in the budget. Chief Scippa created a position for a school resource officer at the Stratham Memorial School, as well as the Exeter Cooperative School. Michael Oliveira is the school resource officer. With the increase in the overtime/on-call line, he stated that we would be able to fill the patrol slots that otherwise would be unfilled to compensate for the resource officer's time at the school. Emergency Management was up \$13,000.00; this is an in and out expense. Mr. Canada informed us that the State reimburses us entirely. The Fire Department budget was down 2% and Mr. Canada wanted to thank them publicly for all their hard work and dedication. Emergency dispatching was transferred to the Rockingham County Dispatch Center. Mr. Canada said that we are receiving these services at no additional costs over and above our regular county taxes. He wanted to give special thanks to Sherriff Mike Downey for finding room for us. He explained that if not for him, we would be paying Newmarket \$135,000.00 this year for dispatching services. Highway Department was up about \$30,000.00. Pavement has to be replaced periodically, and the budget was increased to reflect this cost. The Public Works Commission was down considerably in the operating budget, however, we are asking for money to continue work on providing water and sewer infrastructure in the Commercial District, but we have moved that fund into the CIP. The Planning Board created a Town Center Committee to help develop a master plan for our Town Center District. We added a modest budget for this for the Committee's use, and only bring it up since it is the first year, and Mr. Canada stated that the B.O.S. wanted to bring it to your attention.

Last, he finished up with the interest on TAN/BAN and Long-Term debt. Both are up. He explained if you combine these two lines, total increase on long term obligation interest is \$13,000.00. On the revenue side, interest and penalties on delinquent taxes were up significantly in 2011 over what was anticipated. We projected \$60,000.00 and it was almost twice that. This year, we are projecting \$70,000.00, to stay on the conservative side. Income from Departments are projected to go up, largely due from building permits. He stated that we also have rental income coming in from the Foss property that was purchased last year. Highway Block Grants are down from the State, and Trust Funding is down as well. Mr. Canada stated "To put things in perspective, if the Capital Improvement Budget, (articles 5, 6, 9, and 10) all pass, we will see a projected tax increase of about two cents per thousand, or less than ten dollars in your entire tax bill." Mr. Canada stated that we are asking you to appropriate over five million dollars. He stated that they realize that is a lot of money, and the B.O.S. take the responsibility of handling that money very seriously.

Moderator Dave Emanuel then asked for questions from the floor. Marty Wool, Winnicutt Rd. commended the Selectmen on a well-developed budget, the Board of Selectmen and the Budget Committee did a good job. He had a question on why the Heritage Commission, the 300<sup>th</sup> Anniversary Committee, and the Economic Development Committee are all up from last year, and what are the plans for these Committees in the future. Mr. Canada responded that the Heritage Committee is up to replace the lighting in the Veterans Garden at Stratham Hill Park. John Dold, William Circle, member of the 300<sup>th</sup> Anniversary Committee, responded to the inquiry on the 300<sup>th</sup> Anniversary Committee. He stated that the money requested is seed money for fund raising and to set the events up for the fund raising. Mr. Canada pointed out that the Economic Development Committee is down \$4000.00. Mr. Wool was looking at the wrong line item. Roger Stephenson, Stephen Dr. asked about the Town Center Revitalization expense. He asked what will the \$5,500.00 be used for. Mr. Canada responded that there will be some

expenses with this new Committee, and the Selectmen felt it would be prudent to supply some money for this. Kevin Henry, Chisholm Farm Drive, asked why under Personnel Administration, was the projected and the actual expense so far off. Mr. Deschaine responded that there were two vacancies for a period of time in the Police Department, which created lower health care contributions, and retirement and social security were affected by these lower payroll numbers as well. He also explained that the other element was the large number of employees who participated in the Buy Out program. This is for the employees who do not participate in our health insurance plan. Consequently, this made the health care costs lower than anticipated. A follow up question from Mr. Henry asked about the Police vacancies, and whether that came under the Police budget or the Personnel Administration budget. Mr. Deschaine responded under the Personnel Administration budget. Mr. Deschaine also added that we had budgeted for a disability plan that was not implemented last year, but that we were hopeful that it would be implemented this year. With no further questions or comments from the floor, Moderator Dave Emanuel read the question, the vote was taken in the affirmative, and article 3 passed.

#### **Article 4: CIP**

To see if the Town will vote to raise and appropriate the sum on One Million One Hundred Ninety One Thousand Dollars and no cents (\$1,191,000.00) to implement the Capital Improvements Program for 2012 as presented in the Town Report and approved by the Planning Board. This is a special warrant article which will be non-lapsing until the specific items are completed or obtained but shall in no case be later than five (5) years from this appropriation per NH RSA 32:7 (VI). The Board of Selectmen recommends this article by unanimous vote. Selectman Bruno Federico moved to accept this article as read. Selectman Tim Copeland seconded the motion. Selectman Federico spoke to the motion. Mr. Federico pointed out that more than half of the amount requested is for debt service and principal payments on four items in the Persons and Property section. He stated that we are requesting six hundred thousand dollars in active items. He then went on to review the rest of the CIP, which could be found on page 34 of the 2011 Town Report. Mr. Federico had John Boisvert, Winnicutt Rd. speak on the water and sewer infrastructure for the Water/Sewer Commission. Mr. Boisvert explained about the expenditures moving forward with regard to public water and sewer for the Gateway District.

Moderator Emanuel asked for questions or comments from the floor. Roger Stephenson, Stephen Dr., asked about the Town Center Grant Match and Improvements. He asked if we are we putting aside money for grants that require a match, and would that also require a separate public hearing to expend. He also questioned the Town Center Sign Plan, and asked what was the difference between that and the Town Center Enhancements. Mr. Federico explained that the Town Center Sign Plan was a direct result of the Town Center Master Plan Committee. They asked that we start identifying the Town Center. Regarding the Town Center Grant Match and Improvements, Mr. Federico explained that for the past two years, the Town Center has been going through available grants that would enable us to do some upgrades for the Town Center. Most of the grants that we are looking at require a 20% match. If we don't use that line, then the money goes back to the town. Pat Abrami, Tall Pines Dr. asked about the effect of the CIP on the property tax rate. Mr. Federico responded it would be .99 (cents) for the total CIP of \$1,191,000.00. Mr. Abrami then asked about additional taxable properties coming on line in the town. Mr. Federico responded that the largest development right now is going on in the

Industrial Park. North American Headquarters for Lindt is being built there right now, as well as the Nissan Garage on Portsmouth Ave. Mr. Abrami asked if anything was going on with the old Vocational Technical property, and Mr. Federico responded that the State has it back on the market, and that Webster is still interested in it. Bob Goodrich, Portsmouth Ave. asked about the mowers on the CIP. Mr. Federico responded that these are commercial mowers, and adding Stevens Park to the mowing schedule for the past two years has necessitated that we hire part-time people to do the mowing. He explained that the fields have to be a specific height for the varied sports played there. Mr. Canada also responded that we had to replace last year's mower that was used for the cemetery with a new one. Mr. Goodrich also asked about the Goodrich property and the water source protection area and whether that was under a Conservation Easement. Mr. Canada responded in the affirmative. With no further questions or comments from the floor, Moderator Dave Emanuel read the question, the vote was taken in the affirmative, and article 4 passed.

### **Article 5 – Cemetery Land Purchase**

To see if the Town will vote to authorize the Board of Selectmen to purchase on behalf of the Town a portion of the property at 97 Portsmouth Avenue (Tax Map 13 Lot 37) adjacent to the Town-owned Maple Lane Cemetery as part of a future expansion of the public cemetery for the sum of One Hundred Sixty Two Thousand Dollars and no cents (\$162,000.00) and to further raise and appropriate the sum of One Hundred Twenty Seven Thousand Dollars and no cents (\$127,000.00) to fund the balance of this purchase, with the remaining balance of this appropriation having been raised and appropriated during the 2011 Town Meeting as part of the Capital Improvements Program for this purpose. This is a special warrant article which will be non-lapsing until the specific items are completed or obtained but shall in no case be later than five (5) years from this appropriation per NH RSA 32:7 (VI). The Board of Selectmen recommends this article by unanimous vote. Selectman David Canada moved to accept the article as read. Selectman Bruno Federico seconded the motion. Mr. Canada spoke to the motion. Mr. Canada stated that the town has been looking at a parcel of land adjacent to the Maple Lane Cemetery for a number of years. In the early 2000's, the B.O.S. wanted to buy this property, and had it appraised, but the owner would not negotiate on the basis of the appraised price. In 2008, the Cemetery Committee revisited the idea of buying the property. They concluded, based on a site walk, that the land was not suitable due to the wetlands on the property. The current B.O.S. decided to consult experts including soil scientists and engineers rather than just accepting the decision based on a site walk by laymen. Mr. Canada stated that they hired Rockingham County Conservation District (R.C.C.D.) to analyze the soils. R.C.C.D. examined a series of test pits to analyze both the soils and the water tables. Mr. Canada stated that their conclusion was, and he quoted from R.C.C.D., "The site can be used as a cemetery, especially since all but one test pit was free of bedrock conditions." (Mr. Canada stated that the one site that was not free of bedrock was just a large boulder.) Mr. Canada went on to quote from R.C.C.D. that "The surface runoff conditions would require additional drainage measures to be installed to reduce flooding. The development of a detailed drainage plan would require considerable more time than what was allotted." (End of quote). R.C.C.D. did go on to express concerns about the total parcel area, due to wetlands in the middle, and R.C.C.D. suggested that we continue to look for other parcels. Mr. Canada then stated that there is no better parcel geographically than this one.

The B.O.S. then asked Jones and Beach Engineering to determine what would be required to make this land suitable. Mr. Canada went on to say that in the Jones and Beach report, they stated, and he quoted from Jones and Beach Engineering, "In conclusion, it is an ideal spot for the expansion." (End of quote). The B.O.S. felt that water is a condition that is easily dealt with, and so they consulted with one of the most respected soil scientists in the area, Jim Gove, of Gove Environmental Services, of Exeter. His comment was that fixing water problems, and again, Mr. Canada quoted Jim Gove, "Fixing water problems is easy to do, cheap, farmers do it, and the only rich farmers are in the mid-west." (End of quote). Jones and Beach Engineering created a plan and Mr. Canada referred to the screen at the front of the room for the residents to view. The total cost for the drainage plan presented by Jones and Beach Engineering is \$17,650.00.

Mr. Canada stated that this is a purchase that is based on opportunity, not on immediate need. Mr. Canada went on to state that "We have sufficient land at the current cemetery that will last for a couple more generations. However, this parcel will not be available to us then. If we don't buy it, the owner intends to develop it along with some other land that he owns nearby, and create two or three house lots. State law requires that every community provide a burial space within the community for a cemetery." Mr. Canada stated to please ask yourself "Where are we going to find land in Stratham that will be suitable fifty years from now, and what that cost might be if we do find good land in Stratham fifty years from now?" Mr. Canada stated that the B.O.S. feel that this is a purchase based on good planning. The effect on your tax bill will be negligible. Less than a one time charge of \$40.00 for most of us. Remedial work is less than 10% of the cost in today's dollars as there is no plan to develop this or do any work at this point. The Board of Selectmen strongly urges you to support this article.

Moderator Dave Emanuel asked for any questions or comments from the floor. Bob Cushman, Winnicutt Rd. introduced himself as the Chairman of the Cemetery Trustees, and named the other two trustees as Ken Lanzillo and June Sawyer. Mr. Cushman stated that for many years the B.O.S. has been denied the opportunity to purchase this land because of the fore-mentioned situations, and the difficulty to maintain this site. He explained that we sold about 60 lots in the last five years. He stated that there is no immediate emergency to purchase this land. He went on to state that Maple Lane and Harmony Hill has an estimated availability of 350-425 for full and cremation plots. Mr. Cushman stated that a few years ago, a number of trees were cut down along the back perimeter on two acres of land that was given to the town by Bill Krooss, and they have been raising sod, and this year their hope is to have that all laid out. Mr. Cushman stated that Mr. Reiss, the owner of this land has been looking for the Town to purchase this property for the last ten years. During that period the Trustees of the Cemetery Committee and the different B.O.S. have done their due diligence by reviewing the situation with the Wetland Scientists, and had also consulted with Gove Environmental Services in the past. Mr. Cushman stated that this particular plot is not ideal to use for a cemetery. Due to the wetlands, seasonal streams, and difficulty to manage natural issues the Trustees do not recommend this site. Mr. Cushman went on to state that the location is unmanageable, and there are also money issues. He stated that in November 2011, the Town evaluation of this 7.63 acre lot is \$141,000.00. Mr. Cushman went on to state that the tax card as of today shows that there are two buildable acres on this site. The two buildable acres are up towards the front of this particular property, and they

are worth about \$126,000.00. The back parcel that is being presented to the voters tonight is 5.63 acres, and this is listed as unbuildable. This parcel is listed at \$26,200.00, for an estimated cost per acre of \$461.00. The warrant article purchase price of \$162,000.00 for the 4.7 acres is \$34,468.00 per acre.

Mr. Cushman stated that Mr. Gerald Lang's review of the land available for sale would be approximately 2.68 acres if the roads and burial sites are available. (Mr. Lang is with Professional Engineers.) The cost per acre of the useable land is \$60,447.00 per acre. The Trustees consider this price excessive for an unusable and untrustworthy location, especially from Mother Nature, and the flood waters that the Town has had down through that area. He stated that there is also an unknown cost of construction. He also stated that all of the construction issues that Mr. Canada referred to include drainage off of Mr. Reiss's existing lot. Right now, the water comes across Butterfield Lane, and it goes behind the old Raeder Farm, the VFW Garage, the Ice Cream and Christmas Tree Store, and it takes a sharp right hand turn that is not on property that is for sale. The water goes from there and continues down to flood the parcel that the B.O.S. would like to purchase. Mr. Lang, who submitted a report for the Town on this property, on January 6, 2011, had this comment to make: "The main drainage issue is a significant amount of surface runoff that enters the parcel from the Southwest." Mr. Cushman then stated that the runoff would go down the hill towards Oak Lane. He also stated that any construction work in this particular part of the parcel would not be allowed because of significant impact on the existing wetlands. According to RSA 487, and E.E.S., you cannot divert any water from the wetlands, and Mr. Cushman stated that he would reserve any comments from the Conservation Committee on that. Mr. Cushman continued to quote from Mr. Lang's report, and in part, stated that "After consideration in the amount of the unusable area for the cemetery, total estimated land being available on the parcel is 4.75 acres, at which only 2.68 acres is available for roads and burial sites." Mr. Cushman also made note that restricted usable area in the center of the whole parcel would make deficient use of the remaining land. Mr. Cushman stated that what Mr. Lang meant by this is that it would be difficult to maintain, would be subject to flooding, and because of the wetlands, and water and drainage situations that we would have to pay for, we would have no idea of the geometry of the plots on this particular piece of land. Mr. Cushman, again quoting from Mr. Lang's report, stated that the soils outside of the wetland and setback area can be used for caskets with vaults. However, the total parcel area is not well suited for efficient use for a cemetery because of the wet area in the center of the parcel. (The wet area would not be suitable for caskets with vaults, which is the desired material to have on caskets.)

In conclusion, Mr. Lang suggested that the Town look elsewhere for a more suitable space for expansion. Mr. Cushman stated that with the final costs and unknown prices for these plots, the Cemetery Trustees would have no idea how this land can be developed if and when the Town gets the water under control. Mr. Cushman read an excerpt from a report from Jones and Beach Engineering that was submitted to the B.O.S. and forwarded to the Cemetery Trustees on November 22, 2011, and it stated, in part, that "The existing wetland, at a fifty foot setback, would take out an area of approximately 7000 square feet, with the 4.5 acres remaining being considered for cemetery use, and that would leave 2.75 acres for roadway and burial sites." Mr. Cushman went on to state that with the fifty foot setback, burial sites would not be able to be within the fifty foot buffer. Surface water overflow would go to the neighbors' homes. Jones and Beach Engineering stated that if this parcel is to be utilized, it would be their



recommendation that the Town install an under-drain system. Mr. Cushman went on to say that Mr. Reiss has stated for the last ten years that he is going to build there if the town does not buy the land. To date, there has been no action on that site. There have been no septic system approvals and no driveway permits which are required before you can build a home. Due to the extensive environmental issues and the natural issues on this site, the cemetery trustees believe it would be impossible to manage. He stated that this land is a natural buffer between the cemetery and the abutters. In conclusion, the Trustees of the Cemetery Committee remain firm in their position that this land is unsuitable for cemetery use.

Moderator Dave Emanuel asked if there were any other comments or questions from the floor. Brian Ladd, Butterfield Lane stated that his house abuts the proposed cemetery, and he wanted to let everyone know that it is extremely wet back there. Currently, water from the runoff goes into his yard. Mr. Ladd asked if this is going to be built up, where is the water going to go? He thinks the only place the water can go is down the river. He feels very strongly that everyone in Butterfield and Winding Brook will be flooded. He asked you to please consider this when you vote. Mr. Ladd also stated that in his opinion, a house being built there would be very unlikely because of the wetlands back there. Marty Wool, Winnicutt Rd. stated he wanted to support the Cemetery Trustees. He went on to state that the B.O.S. think that it is a Committee, and it is not a Committee, they are Trustees that were voted in and he stated that we should rely on their expertise. Mr. Wool went on to say that we rely on the Selectmen in their areas of expertise, and we should rely on the Cemetery Trustees for their area of expertise. It is their job to look out for the Town and the cemeteries. Mr. Wool stated that he was a Selectman back in 2002 when Mr. Reiss came to the B.O.S., (which comprised of Marty Wool, Dave Short, and Kirk Scamman at that time.) Mr. Reiss asked if they wanted to purchase the piece of property being discussed tonight. The Board discussed lowering the price with Mr. Reiss because of the wetlands. Mr. Reiss insisted he could get two house lots on that property, and Mr. Wool felt that was an impossibility. Mr. Wool stated he was asked by the Trustees to investigate this property from a planning point and it was determined that because of the wetlands in the middle, and the fifty foot buffer, no buildings or structures can be put in within that area and a vault and a septic tank is considered a structure, per State law and Town Ordinance.

In regards to the question of what are we going to do in fifty years, Mr. Wool stated that the wetlands are going to be even more important than they are right now. In his opinion, this piece of property is only worth about \$25,000.00. Mr. Wool stated that this purchase is not a good idea. Mr. Canada asked the Moderator if he could question Mr. Wool for a point of clarification. Mr. Emanuel responded in the affirmative. Mr. Canada asked Mr. Wool to cite the State law that Mr. Wool referenced. Mr. Wool explained that he spoke to D.E.S. (Department of Environmental Services), and was told that they would consider a vault a structure; therefore you cannot put a vault within setbacks or wetlands. Mr. Wool referenced RSA 482. Mr. Canada stated it is not in RSA 482. Mr. Canada stated the Selectmen contacted D.E.S. in January 2010, and they indicated that there were no concerns about a vault whatsoever. Kirk Scamman, Frying Pan Lane stated that he was in favor of buying the property for a future cemetery. Back in 2002, the B.O.S. (Kirk Scamman being one of the Selectmen at that time) looked at this property, and decided it was not a priority at that time due to other expenses that we had, including the Police Station, Fire Station, and the Library. Mr. Scamman went on to state that the current B.O.S. has looked at this property, and has decided that it is a priority, and it is something that the Town can

afford. Mr. Scamman stated he grew corn on this property for many years, well into the 80's. He feels it would be much more efficient to have a cemetery that is connected for equipment, and day to day maintenance. He feels that this is a piece of property that the Town should buy tonight, and then move forward helping the Cemetery Committee and the Town over the next fifty years, and he considers it good planning by the current B.O.S. Pat Elwell, Strawberry Lane, (who introduced herself as the Chair of the Conservation Committee) stated that she is for the purchase of this property. She went on to say that the engineering studies that went on with this were thorough, and the group that the Selectmen worked with to develop this plan are a very conservative group. She feels that it is only going to protect the wetlands even more as you won't be having people disturbing the wetlands as you would if there were houses there. Mrs. Elwell stated that with just one house with one child on this lot, (and she uses this analogy with her Conservation parcels,) it would cost the Town \$168,000.00 over a period of twelve years. Mrs. Elwell stated that you really are conserving land by purchasing this property, and so she is in support of purchasing this land. June Sawyer, High St. and Trustee of the Cemetery Committee, stated that she has been on this property multiple times and has been in water and mud up to her knees in the Spring, and has had water up to her ankles in the middle of the summer, during the dry season. She agreed that there are pieces of this property that would be good for a cemetery, but the overall parcel could not be recommended to purchase by the Cemetery Trustees. Lucy Cushman, Winnicutt Rd. asked the B.O.S. about the price, as she got the tax card, and the whole 7.63 acres is assessed at \$141,000.00. She stated that the B.O.S. is suggesting we pay \$162,000.00 for the 5.63 acres in the back. She asked why land that is assessed at \$26,000.00 is worth \$162,000.00 when it is wet, and needs a lot of work, and a lot would need to be spent on drainage. Ms. Cushman also stated the only access to it would be through the existing cemetery. Selectman David Canada responded that the Conservation Commission looked into the land extensively, and they did a yield survey. The assessment is based on back land, and when it stops being back land, it is going to stop being assessed for that amount. The Conservation Commission did three appraisals, two of which were determined to be spot on, with similarities to this piece. The appraisals indicative value is at \$155,000.00-\$165,000.00 per lot. He stated that we used this as a basis for negotiations. Negotiations started at \$205,000.00 and concluded with \$162,000.00. Mr. Canada stated that we are not talking about back land anymore, we are talking about the cost of lots, and that is what this property would be valued at.

Mary Jane Keane, Winnicutt Rd. asked if the B.O.S. along with the Trustees of the Cemetery and the Conservation Commission ever met together to discuss this. Mr. Canada responded that the Cemetery Committee had a lot of good questions and concerns, and that they met several times. Mr. Canada stated that the last meeting they had was with himself, Bob Cushman, and Jones and Beach, where we all outlined all of the concerns, and then asked Jones and Beach to give us answers. Mr. Canada further stated that when we got the information back, the B.O.S. asked for a meeting with the Board of Trustees, but they refused to meet with them. So, in conclusion, Mr. Canada stated, that yes, they did meet, but they did not get to discuss the final costs as the Cemetery Committee chose not to meet with the B.O.S. to go over them. June Sawyer, High St. stated that the night that they were asked to meet was a very difficult night to meet for the Trustees, and that was the basic reason why they did not meet with the B.O.S. that night. Mrs. Sawyer also requested a paper ballot, and had the signatures required to do so. Pat Reed of Butterfield Lane stated that on some occasions there is a river coming down her backyard. She

stated it is very, very, wet back there. She also had a question on her well and whether this would affect her well water. Mr. Canada responded that there is no reason to anticipate any problems with your well water. Mrs. Reed also thanked the Cemetery Trustees for the very knowledgeable letter that was sent out. Bob Goodrich, Portsmouth Ave. asked that “after the \$17,000.00 is spent fixing the water problem, where exactly is that water going?” Mr. Canada asked that everyone refer to the diagrams and pictures that were on the screen at the front of the room, and pointed out how the landowner made a water feature there. He mentioned the little bridge that goes across there and that this is the water that is coming out of the proposed purchase area. Mr. Canada referred to the deep groove that was cut by Mother Nature over thousands of years. He also pointed out the stone retaining wall, and the culvert that goes under Butterfield Lane. He stated that on the other side of Butterfield Lane there is a deep drainage area that was carved out by Mother Nature that heads straight towards the Squamscott River. Mr. Canada stated that you can tell by the depth of the cut there that this stream is ready to take on all comers. He stated that there would not be any additional flooding on anyone’s land because of this, and if anything, it will help it because it will be picking up some of this water.

Mr. Canada went on to state that it will not impact the wetlands as it will be putting more water back into the wetlands. He concluded that all of this water is coming down here anyway, and what we are trying to do is direct it so that it does not spread out over the whole field and flood the whole field. He finished with the statement that the picture that was shown to you with the field, and the stream running through it, is the water that we are trying to pick up. Roger Stephenson, Stephen Dr. asked if there is an estimate on the cost of the road, which looks to be about a six hundred foot road. Mr. Canada responded that was not part of the purchase price, and that would be addressed down the road. Mr. Canada went on to state that Mr. Wool had said that the cemetery people are experts, and he (Mr. Canada) would contend that they ran for election uncontested, and they were elected accordingly, and that hardly makes them experts. He also stated that Mr. Wool attributed the same attributes to the B.O.S. and Mr. Canada stated that none of the B.O.S. feels that they are experts in this area, and that is why they consulted experts. He stated that he thinks the cemetery people failed to look at that. Mr. Canada went on to state that this is a purchase of opportunity, that it is cheap, and it is good planning. Mr. Canada went on to explain that fixing the water issues is not challenging, and it is not expensive. He asked that you please do not reject it because of suitability concerns. He stated that if you do not want to buy this property because of the expense, then that is understandable. Mr. Canada concluded by saying that this is for our future generations and the B.O.S. would like to provide them with the same opportunity that we had in purchasing a cemetery lot, and therefore the B.O.S. urge you to vote for this article. Lester Cuff, Stratham Heights Rd. stated that he moved here 20 some years ago, and that the Town at one time had the opportunity to buy land for the school, and that it was passed on. The Town ended up paying three or four times the amount of what the cost was originally. Mr. Cuff stated he is for expansion for the future, and he supports this article. Chris Rowe, Gifford Farm Rd. asked to move the question. Moderator Dave Emanuel asked for a second, it was seconded. Mr. Emanuel asked the residents if they wanted the question moved which would end debate to please signify by saying aye, and those oppose, signify by stating nay. Mr. Emanuel stated that the ayes had it, and the question was so moved. Mr. Emanuel read the question, and directed the residents to the area where the voting would take place. He then gave directions on the voting process for the written ballot. Once the votes were counted, It was announced by Moderator Emanuel that article 5 failed, the results were 86

against, and 60 for. Lucy Cushman made a motion to restrict reconsideration on article 5, seconded by Marty Wool. The vote to restrict reconsideration on article 5 was taken in the affirmative; and the motion passed to restrict reconsideration on article 5.

### **Article 6 – Town Buildings and Grounds Maintenance Expendable Trust Fund**

To see if the Town will vote to create an expendable trust fund under RSA 31:19-a to be known as the “Town Buildings and Grounds Maintenance Expendable Trust Fund” for the purpose of funding facility maintenance and improvements to Town-Owned property, and to appoint the Board of Selectmen as agents to expend from this expendable trust fund for the purpose for which it was established. Furthermore, to see if the Town will vote to raise and appropriate the sum of Twenty Five Thousand Dollars and no cents (\$25,000.00) to be deposited in the “Town Buildings and Grounds Maintenance Expendable Trust Fund.” The Board of Selectmen recommends this article by unanimous vote. Selectman Bruno Federico moved to accept this article as read. Selectman David Canada seconded the motion. Mr. Federico spoke to the motion.

Mr. Federico stated that over the past few years the Town has added a number of buildings to their inventory. He explained that we added the Foss property, and the Police and Fire Stations to our current list of buildings. He stated that the two major issues are going to be wells and septic systems. Mr. Federico went on to say that we currently do not have a plan to replace, maintain, and upgrade. He stated that we have reached a point that we need to start a trust fund, because you never know when you will have to replace a well or a septic system. Mr. Canada added that we currently maintain fourteen septic systems, nine wells, twenty-five roofs, and one fire suppression system, all of which has to be maintained. He felt that this would give us a buffer against a catastrophic failure, which would impact our operating budget. Mr. Canada stated that we would like to establish this fund, and we are asking for twenty-five thousand dollars in order to do that, and he also stated that we will probably ask for twenty-five thousand dollars for the next couple of years, and cap it at either fifty or seventy-five thousand dollars. Moderator Dave Emanuel asked for any questions or comments from the floor, and seeing none, Mr. Emanuel read the question, the vote was taken in the affirmative, and article 6 passed.

### **Article 7 – EMS Training**

To see if the Town will vote to raise and appropriate the sum of Eight Thousand Dollars and no cents (\$8,000.00) for the purpose of providing EMS training for the members of the Stratham Volunteer Fire Department for the ensuing year, and to further authorize the withdrawal of Eight Thousand Dollars and no cents (\$8,000.00) from the Stratham Fire Department EMS Special Revenue Fund created for these purposes during the March 17, 2000 Annual Town Meeting and as amended during the March 11, 2005 Town Meeting. No additional funds from general taxation are to be used. The Board of Selectmen recommends this article by unanimous vote. Selectman Tim Copeland moved to accept the article as read. Selectman Bruno Federico seconded the motion. Selectman Copeland spoke to the motion. He stated that we vote on this every year because we have to. He went on to say that the money itself comes from ambulance runs if you have insurance. We bill the insurance company, and they in turn give the money to this special fund. Selectman Copeland also stated that the money is put away for ambulances,

fire trucks, training, etc. Mr. Copeland added that every year we have to request the money, and this year we are asking for \$8,000.00 to cover EMS annual training and continuing education so they can stay up to date with their certifications. He concluded with the statement that the Fire Department is a volunteer service, and that they do a great service for this community, and we are looking to provide the money without raising taxes through this special fund to pay for their ongoing education. Moderator Dave Emanuel asked for any questions or comments from the floor, and seeing none, Mr. Emanuel read the question, the vote was taken in the affirmative, and article 7 passed.

### **Article 8 – Purchase of a Fire Dept. Tanker**

To see if the Town will vote to raise and appropriate the sum of Four Hundred Thirty Six Thousand Five Hundred Dollars and no cents (\$436,500.00) for the purpose of purchasing and equipping a new fire truck for the use of the Stratham Volunteer Fire Department, and to authorize the Selectmen as agents to withdraw up to One Hundred Eighty Thousand Dollars and no cents (\$180,000.00) from the Capital Reserve Fund created for these purposes during the March 13, 1998 Annual Town Meeting, and to further authorize the withdrawal of up to One Hundred Thirty Six Thousand Five Hundred Dollars and no cents (\$136,500.00) from the Stratham Fire Department EMS Fund created for these purposes during the March 17, 2000 Annual Town Meeting and as amended during the March 11, 2005 Town Meeting. Furthermore, the balance of up to One Hundred Twenty Thousand Dollars and no cents (\$120,000.00) is authorized to be accepted and expended by the Selectmen on behalf of the Town as a donation for these purposes from the Stratham Volunteer Fire Department Association. This is a special warrant article, which will be non-lapsing until these purposes are accomplished but shall in no case be later than five (5) years from this appropriation per NH RSA 32:7 (VI). No additional funds from general taxation are to be used. The Board of Selectmen recommends this article by unanimous vote. Selectman Tim Copeland moved to accept this article as read. Selectman David Canada seconded the motion. Mr. Copeland spoke to the motion. He stated that the tanker that we have is twenty-six years old. He made the following points:

The Company that made it twenty-six years ago is no longer in existence. Replacement parts are harder and harder to find. The tanker is a two person cab, the new tanker looks more like a fire pumper that you are used to seeing with an enclosed cab, and you can fit a lot more personnel inside there. The Tanker itself is a water transportation unit; and this is important as we do not have hydrants in the town for the most part. The Tanker is used to bring the water to the fire scene, and to feed the pumper that is already at the scene. The money itself is through the CIP, (\$180,000.00) and has already been raised. The \$136,500.00 is coming from the EMS fund that has been previously discussed in article 7. The \$120,000.00 is money from donations, and proceeds from the Stratham Fair. Selectman Copeland concluded with the statement that the bottom line here is that it is not costing the tax payers any additional money to purchase this truck. This truck is already built so there is no wait time, and if this passes, the Town will take delivery on this in May. Rob Cook, Fire Chief, and Matt Larrabee also spoke to the motion. Mr. Cook presented a power point on this. He stated that the current pump is a 1986 pump and that it failed the pump test last year. There are no parts available for the pump since it is so old. The one that we want to purchase is a demo; it has 1500 miles on it. Mr. Cook reiterated several points that Mr. Copeland discussed. Moderator Dave Emanuel then asked for any questions or

comments from the floor, Kevin Henry, Chisholm Farm Dr. asked about the CIP money, (the \$180,000.00,) and if the funds are used, does that finish off the reserve fund. Selectman Copeland explained that it is an ongoing CIP fund, and every year we allocate money towards the future purchase of fire apparatus. This \$180,000.00 has already been allocated for a pumper toward the future. The ambulance money is there, so we feel that we should use that towards the purchase as well. He again stated that we are not raising any new tax dollars towards this purchase. Seeing no further questions or comments from the floor, Mr. Emanuel read the question, the vote was taken in the affirmative, and article 8 passed.

#### **Article 9 – Accrued Benefits Trust Fund**

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars and no cents (\$20,000.00) to be deposited into the Accrued Benefits Liability Expendable Trust Fund as created by the March 16, 2007 Town Meeting to meet the currently unfunded obligations of the Town. The Board of Selectmen recommends this article by unanimous vote. Selectman Bruno Federico moved to accept this article as read. Selectman David Canada seconded the motion. Mr. Federico spoke to the motion. Mr. Federico stated that this article pertains to accrued benefits for the employees that receive benefits from the Town, which would include time off, pension benefits, etc. He stated that when these employees retire, the Town needs to pay them what is owed to them. We don't put this in a general fund, we created a trust fund. We are asking for \$20,000.00 to be expended this year for the Accrued Benefits Liability Trust Fund. Moderator Dave Emanuel asked for any questions or comments from the floor, and seeing none, Mr. Emanuel read the question, the vote was taken in the affirmative, and article 9 passed.

#### **Article 10 – Funding for Updating the Town History**

Shall the Town vote to raise and appropriate, by special warrant article, the sum of Fifty-Five Thousand Dollars and no cents, (\$55,000.00) for the purpose of researching, compiling, writing, and all other activities associated with the production and printing of an update to the Town's History. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the updated Town History is completed or December 31, 2015, whichever is sooner. The Board of Selectmen recommends this article by unanimous vote. Selectman Tim Copeland moved to accept this article as read. Selectman Bruno Federico seconded the motion. John Dold, William Circle, and member of the 300<sup>th</sup> Anniversary Committee spoke to the motion. Mr. Dold stated he wanted to begin his presentation on article 10 with a short quote from a speech by Jay Fred Emery at Stratham Town Meeting in 1949. The quote is as follows: "Mr. Moderator, I arise to appoint a personal privilege that I may address this meeting and presenting to the Town a historical souvenir, one which connects the Stratham from long ago, with the Stratham of today, thank you Mr. Moderator." (end of quote.) Mr. Dold then listed the members of the 300<sup>th</sup> Anniversary Committee. He stated the Committee was established in March, 2010 by a Town Warrant Article. The Committee has been busy since then with different fund raising events. One of the first things they did was to select a logo for the 300<sup>th</sup> Anniversary. The Committee has attended a number of Town events, such as being present at elections, the Stratham Fair, etc. to raise funds and public awareness of the 300<sup>th</sup> Anniversary coming up in 2016. He stated that the 300th Committee has a website and a page on Facebook. They are also busy recruiting volunteers and working on the Town History. Planning for this year, and the future, if this article

is passed tonight, will be to continue to work on the Town history. Some of the events planned for this year are a yard sale that is scheduled in May at Stratham Hill Park, a tent set up again this year at the Stratham Fair, and the Committee is also working on a marathon to be run in August. The 300<sup>th</sup> Committee is working with the Stratham Recreation and the Stratham Park Association to make this happen.

In the years to come, from 2013-2016 they are in discussion with different Indian groups from New England to feature and sponsor an Indian Pow-Wow at Stratham Hill Park. In 2016, a parade, fireworks, a dinner dance, concerts, and an auction are being planned. Tonight, we are talking about history. The current history book on Stratham covers 1631 to 1900. Our request tonight is for \$55,000.00 and the purpose is to enter into a contract with a NH author, Craig Brandon, to update the Town History. Craig Brandon is a highly qualified writer who was unanimously chosen through a selection process by our Committee and he will work with Town Volunteers to research, document, and update the Town History from 1900 to current. It is our estimate that the research and writing, which is a two year project, will be \$40,000.00, expenses will be \$5000.00, book printing will be \$5000.00, and we have a contingency fund for \$5000.00 for a total of \$55,000.00. The history research is a big part of this project and it is the Committee's hope that a lot of history research will be provided by volunteers. We have a number of them signed up to work on this. We have estimated that if we get enough volunteers to work with the author, we can cut \$20,000.00 off the \$55,000.00 that we are requesting tonight. We have about ten or eleven volunteers signed up right now. The author stated he could use as many as twenty volunteers to do the project. Mr. Dold stated that if this article is passed tonight, and we get the volunteers we need to help, there will be a savings on the total cost. He went on to state that the publishing costs are about \$5000.00. However, Mr. Dold stated he became aware of a fund that exists at the Stratham Library which may be able to be used to offset some of the publishing costs, and that will be looked into. It is the Committee's intent to save money through volunteers and the use of the publishing fund and any unused funds from this article will be returned to the Town. Mr. Dold concluded with the statement that in their attempt to make the public aware of Stratham's 300<sup>th</sup> Anniversary coming, up, it is the Committee's hope to install street signs on Portsmouth Ave. coming into Stratham from Greenland, Exeter, and Newfields. Moderator Dave Emanuel asked for comments or questions from the floor. Kevin Henry, Chisholm Farm Dr. asked about the number of books planning on being published, and can some revenue be gained by selling the books to the general public. Selectman Copeland responded that the plan is to have the books sold, and the plan is to use some of those funds to offset the costs. He stated, at this point, we do not know how many will be published, they need to investigate how many people will be interested, but we have until 2016 to find out. Seeing no other questions from the floor, Mr. Emanuel read the question, the vote was taken in the affirmative, and article 10 passed.

#### **Article 11 – Hunting at Stratham Hill Park and Adjacent Town-Owned Property**

To see if the Town will direct the Board of Selectmen to prohibit hunting in the area of the original Stratham Hill Park bequest to a designated boundary at a line three hundred (300) feet east of the fire tower and running roughly north and south of that point, and to furthermore designate under NH RSA 644:13 II (b) that the balance of the lands in the area known as Stratham Hill Park and adjacent Town-Owned lands (Tax Map 22 Lots 83 & 85) as a compact

part of the Town of Stratham, which results in a person being guilty of a violation if such person fires or discharges any cannon, gun, pistol, or other firearm, except by written permission of the Chief of Police or governing body. The Board of Selectmen makes no recommendation on this article. Selectman David Canada moved to accept the article as read. Selectman Tim Copeland seconded the motion. Selectman Canada spoke to the motion. The B.O.S. wanted to review the rates for the use of the pavilions at Stratham Hill Park, and to find out which communities were populated by, in the words of the bequest which created the park in 1905, comprising Stratham, Portsmouth, Exeter, and other adjacent towns. Mr. Canada also stated that the B.O.S. felt it was a good opportunity to review the rules and regulations that are in place, or should be in place.

Mr. Canada went on to state that among other things we proposed was banning hunting. He stated that we did not expect this to be too controversial as "We, like many people we spoke to, did not think there was any hunting activity at the Park. Turns out, we were wrong." Mr. Canada reported that over the years, the Park has been augmented by the "so called" Noyes purchase and also the Gifford purchase in the 1980's. He went on to state that these areas provide hunting opportunities. At our public hearing there was a roomful of concerned citizens, equally divided by the subject, and the B.O.S. concluded that it would be best decided at Town Meeting. Mr. Canada stated that "The B.O.S. is an administrative body, you tell us what to do, and we follow orders." Mr. Canada stated that the choices are we can do nothing, which will have the effect of allowing hunting in the expanded Park area, and a "No" vote tonight will have this effect. We can vote for this article, which will ban hunting in the original bequest. He stated that the B.O.S. is neutral on this article. Mr. Canada stated that they will vote as they see fit themselves, but they would like to hear what the community wants.

Mr. Emanuel asked for questions or comment from the floor. Bruce Scamman, Greta's Way stated that he is not a hunter, nor has he ever been a hunter. One concern he has is overpopulation of deer. He also stated that he does not think this article will solve the problem. He is aware of a hunter from last fall dragging a deer down to the road and putting it in the back of a pickup truck with Massachusetts plates. He does not believe this law will solve that problem. Mr. Scamman also wanted to point out pertinent information regarding the deed that the Tuck family left the park to the Town. He read part of the deed which states as follows: "The said Town of Stratham to have the control of said lands with the power to make all necessary by-laws and regulations of the use of the same. But no by-laws shall be enacted depriving law abiding citizens from the above towns, from the free use, enjoyment, and occupation thereof. And in said land, shall ever cease to be used for such purposes, or if any of the conditions herein shall be broken, then there upon this deed, and the conveyance shall become null and the estate hereby granted shall determine the entire property hereby conveyed shall revert without the aid of any legal process or formality whatever to the said Edward Tuck, his heirs assigned,," (end of quote) Mr. Scamman stated he is very concerned with the ownership of the Park, and he is also concerned about the Town being sued because that person has the right to be in the Park, and has the right to hunt and the Town is denying them that right. Mr. Scamman stated this needs to be researched and looked into and it should not be voted on tonight. Dan Crowe, Benjamin Rd. stated that he knows this is a controversial issue. He stated that the deed clearly states that it can be reverted back if it is not held to the open and free use, enjoyment, and occupation thereof by the Town of Stratham, Exeter, Portsmouth, and all the surrounding towns. He does not feel that we can make this decision for the other towns if it goes against the grain of the deed. Mr. Crow



asked if Mr. Copeland would speak to the status of RSA 644:13. Mr. Copeland responded that the House of Representatives passed banning that law, or repealing it, if you will. He stated that the compact law is designed more for inner cities, because of the discharge of firearms. Mr. Copeland felt that it would not pass the Senate. He stated that he knows the Governor will veto it if it gets that far because of the compact zone within the cities itself. A lot of towns still use this RSA to prevent the discharge of firearms in those compact zones. This particular warrant article is asking for the Town to create a compact zone so that the discharge of firearms won't happen, but bow and hunting could happen, which will also bring down the deer population. Mr. Copeland stated this RSA has not been repealed yet, the legislature voted to repeal it, but it still has several more stages to go. It has to go through the Senate, and signed by the Governor. Mr. Crow stated that based on that, there is concern with that law in that it is being used inappropriately in towns like ours where it is more designed for towns like Manchester, Bedford, and Concord where they need that law. Mr. Copeland disagreed with that statement. Mr. Crow stated the subject of banning hunting at the Park was only brought to the Park's Association's attention in writing in January of this year, (2012). Mr. Crow stated that they would like to create safety zones that would prohibit the discharge of firearms. He went on to say that this would be an act of self-management, and policed by legal hunters. He went on to say "And if you are asking who are the hunters, then the answer is that the hunters are our friends and our neighbors, and you are surrounded by them. They are our sons and daughters, they are members of our Fire Department, and they are members of our Police Department." Mr. Crow asked everyone, with all due respect, to vote this article down, and let the legacy of self-management continue under the NH Fish and Game laws that are established. Mr. Crow's final note was that the Stratham Park Association did not support this ordinance change.

Marty Wool, Winnicutt Rd. stated that the town is growing, and that there are a lot of people walking around in these so-called hunting zones, and he does not feel that there should be hunting in these compact zones. When the Park was given to the Town, the population was 300 in Stratham. The population now is close to 8000. There is a school close by, and there are a lot of dog walkers, and cross country skiers there as well. Mr. Wool stated that hunting at the Park should be restricted. Roger Stephenson, Stephen Dr. stated that this is a cultural issue, and he is against this article. Mr. Stephenson lives adjacent to the park, and hunters often park at the end of his road. He stated that the hunters leave the area many times better than when they found it. Mr. Stephenson stated he has a lot of respect for hunters, and the Fish and Game laws are adequate. He also stated that the deer population must be managed. Mr. Stephenson stated we need to maintain the culture of hunting in Stratham. He stated that there are a lot of land owners in Stratham that permit hunting, or not, depending on their desires. He also had concern about the deed that Mr. Scamman mentioned earlier. Mr. Stephenson stated he would vote against this article. Robert Dillon, Gifford Farm Rd. stated he lives close to the school, and he is originally from Montana. He grew up as a hunter, but feels that this area is heavily populated. Mr. Dillon feels that the Town can manage the herd without having to allow open hunting. Pat Elwell, Strawberry Lane, Chair of the Conservation Commission, stated that she is in favor of voting for this article. She stated that the amount of use that this property gets, and the number of people going over there from all over to enjoy it would amaze and impress the Tuck family. She stated she thinks very highly of the hunters here in Stratham, but it is not the hunters in Stratham that she worries about. It is the hunters that come in from out of state, or out of the area, and do not know or respect the area as we do. She feels it is no longer a good match to have hunters in that

area with the number of people now using the park. Jordan Ambargis, Humes Court stated he is often in the park running and he rarely comes across any hunters. He stated that the hunting is regulated in the Park. The hunters have to follow the Fish and Game laws. He stated we need to take time on this issue, and not rush on this. He pointed out that there are only certain areas that the hunters hunt on. He stated that this article needs to be voted down, and then we need to look at all the issues, and set up rules and regulations. Mr. Ambargis also stated that postings need to be placed in the park during hunting season. He concluded with the recommendation to vote this article down, and then to take a look at it again with the Conservation Commission, and the Stratham Hill Park Association as well as the lawyers so they can take a look at the deed. That way everyone's needs for safety and recreation can be met.

Selectman Copeland made a point of clarification. He stated that the mention of the signage for Stratham Hill Park will not cost the taxpayers any money, as NH Fish and Game gives the Town the signage for that. Tom Shealy, Stratham Hgts. Rd. stated that deer hunting season is about thirty days. November 9 to December 10. Dr. Shealy stated that he finds it hard to believe that we can't get along with hunters and non-hunters during that period. He asked why are we creating a problem where none exists. Travis Thompson, Stratham Hgts. Rd. brought up two points. He stated that he is a member of the Stratham School Board and they have not officially taken a position on this as a School Board. However, he wanted to point out that the students actively use the Stratham Hill Park and the adjacent property every single day of the week. Mr. Thompson also wanted to state that if there is any question at all about the ownership of the Park in relation to the deed that was mentioned earlier, then it is certainly premature to make any decision without much more legal analysis going into this. Roger Thompson, Joyce Lane stated that if there is even any slight chance that we may lose this park in relation to the way the deed is worded, then that needs to be looked at first. Then the question can be decided on hunting or no hunting but we do not want to lose this park. Chris Duffy, High St. stated that he has lived in Stratham for 28 years, and that he hikes 3-5 days with his dogs in this Park, all year round. He stated he has met most of the hunters through the years, and he said he has never met anyone from Massachusetts. Mr. Duffy stated he has never had any problem with hunting season. He finds out the dates for bow and hunting season, and for shotgun season. During bow and hunting season, he puts his dogs in bright colored jackets. During shotgun season he stays out of the area where the hunters are. He states he gives them four weeks out of the year to hunt. He stated that he likes the fact that they keep the herd under control. He also stated that the hunters are good people; they are people from this town for the most part. He feels that they have every right to enjoy the park as much as he does. Mr. Duffy stated that he absolutely hopes that you vote "No" on this article. Janice Wayne, Depot Rd. had several questions regarding this article. She asked if someone could answer what dates are hunting seasons, what is being hunted, and what kind of weapons are being used for hunting. Tom Shealy, Stratham Hgts. Rd. explained that for the most part, what is being talked about in the Park is just deer. He went on to explain that there are three different seasons for geese and duck hunting, but that is on the bay. Legally, you can hunt pheasant and grouse, but they just aren't there at the Park. Bird hunters are not in Stratham Hill Park. Shotgun season is seven days in May. Dr. Shealy stated that you could see a turkey hunter during those seven days in May in the Park. The deer hunting in this section of NH is shotgun only because it is a close-range weapon. The season for deer is about thirty days. NH Fish and Game also has everything listed on their website in regards to dates and weaponry, etc.

At this time, Mr. Emanuel stated seeing no other questions or comments we will move the vote on article 11. Everett Lamm, Autumn Lane, apologized for taking up a couple more minutes, but wanted to know why we have not heard from a member of Fish and Game here tonight, or from the Chief of Police, John Scippa. Mr. Lamm asked if he could yield the floor to Chief Scippa. Mr. Emanuel asked if there was any objection, and seeing none, yielded the floor to the Chief. John Scippa, Chief of Police stated he was going to speak to just one small portion of this very large problem. He stated that there is one federal law that deals specifically with fire arms being in close proximity to any public school. It is called the "Gun Free School Zone Act", which is an Inter-State Commerce Law. It is a federal law, not a state law, nor is it a town ordinance. It prohibits any firearm from being within 1000 feet of any school. He mentions this because this law would impact the hunting zone. There would have to be a 1000 foot radius that would have to go completely around this school. He also stated that there are some waivers that go along with this law. One of the waivers states that if you are on private property, and have permission to be there, then you are not in violation of this law. However, if someone drove by this school on their way to hunting, and they had a firearm in their car, they would be in violation of this federal law. He noted that it is important to know that, regardless of the vote tonight, there are no firearms allowed within 1000 feet of this school, or any public school. A question was asked of Chief Scippa on whether the hunters are aware of this law. He responded with that for as many that do know about this law, there are probably just as many that are not aware of it. Patrick Kelley, Benjamin Rd. stated that he has been involved in this from the very beginning. He stated that it was he who drew up safety zones. Mr. Kelley stated that they had a meeting at the Park with two Fish and Game officers, and the Fish and Game officers stated that the Park was safe to hunt if we hunted in areas that were not congested, and not heavily used. He stated that he hiked the park, and he developed a map, which put most of the trails and congested areas off limits to the hunters. Mr. Kelley further stated that a Committee was formed, and that this Committee volunteered to post all the areas to create a safety zone. They met with Kim, the Park Ranger, and she agreed with the areas that they, the hunters had agreed upon, and a compromise was reached. He mentioned the deer tick population, and how we are going to have to try and control that if hunting is restricted. Mr. Kelley concluded with that an issue was created here that never should have been created, and he recommends that we all vote "No". Mr. Wool stated that he thought the question was moved. Janice Wayne, Depot Rd. responded that she had one quick question, and that question was can anyone hunt there, or is there some sort of restriction. The response from one of the residents was that you need a license to hunt anywhere. She then asked once you get the license, are there parameters? Kim Woods, Park Ranger for Stratham Hill Park responded that anyone can hunt anywhere that is not posted. Mr. Kelley stated that is not true, and you cannot hunt within 300 feet of a home or any kind of structure, parking lots, etc. Kim Woods responded that Janice Wayne was asking specifically about the Park. Mr. Kelley stated that "the majority of people that hunt the Park respect it. You are more likely to be bit by a dog than hurt by a hunter." Chris Rowe, Gifford Farm Rd. stated he is not a hunter. He wanted to point out that all it takes is a lot of common sense. He also asked if anyone wants to speak, to please address the Moderator at the microphone. Selectman Tim Copeland asked if the public would like to hear from the Park Ranger, Kim Woods. Bruce Scamman asked for point of interest and stated that he thought the question was moved. The Moderator stated he did not recognize the question. Mr. Wool then moved the question. It was seconded by several residents. The vote was taken in the affirmative, and the question was moved. Mr. Emanuel

then declared the debate closed. Mr. Emanuel then read the question; the nays had it, and article 11 failed.

## **Article 12 – Other Business**

To transact any other business that may legally come before this meeting. Selectman David Canada thanked all the members of the various Boards and Committees who spent so much time taking care of Town business. He stated that we could not do it without them. He also wanted to thank John Dold for his service on the Board of Adjustment that he served on for a number of years. He noted that Mr. Dold is still active on several other committees. Mr. Canada also wanted to thank Fred Hutton for his thirty years for the Town of Stratham and wished him well on his upcoming retirement. Mr. Canada stated that he does not know anyone whose heart is in the right place more than Fred. Mr. Canada stated if anyone is interested in serving on any Boards/Commissions/Committees to come on up front and pick up an application. Mr. Canada also announced that Mel McGrail is continuing to keep the Stratham Pocket Gardeners Club. If anyone is interested in volunteering for this club, please see Mel up front, and she will be happy to give you some information on it. Selectman Tim Copeland announced that the Conservation Commission will be holding its annual clean-up day on the morning of Saturday, April 14<sup>th</sup>. He stated that we welcome any help from individual residents and groups like the boy scouts and girl scouts. He invited everyone to come to Stratham Hill Park at 9:00 a.m. and stated that you will be assigned an area to clean up, given a safety vest, plastic gloves, and a trash bag. The pickup will end around noon. There will be coffee, donuts, and perhaps chocolate offered to everyone in the morning. Selectman Canada asked any newly elected town officers to come forward after the meeting to be sworn in, or to see Joyce Charbonneau, Town Clerk, at her office. Selectman Federico wanted to thank everyone for showing up tonight, and doing their civic duty. Moderator Dave Emanuel had an announcement from the Assessing Department. They are having a presentation on the blind and elderly exemptions as well as Veteran tax credits on Monday, April 2<sup>nd</sup> at 10:00 a.m. at the Town Hall. Moderator Emanuel asked if there was any other business. A resident then put forth to the Moderator a motion to reconsider article 11. Moderator Emanuel asked for a second, and it was seconded. Mr. Emanuel asked all those in favor of reconsidering article 11, to signify by saying aye, and those oppose, signify by stating nay. Mr. Emanuel stated the nays have it, and article 11 is not reconsidered for debate. A resident then stated that the nays just spoke louder, and asked for a hand vote or division of the house. Mr. Emanuel asked for a second for a division of the house. There was a second to do a division of the house. Mr. Emanuel called for a vote for the question on a division of the house, and the ayes had it. The division of the house determined that the nays did have the vote to not reconsider article 11 and Mr. Emanuel stated that article 11 will not be debated again this evening. Seeing no other business before the town, Mr. Emanuel thanked everyone, and closed the meeting at 10:30 p.m.

Respectfully submitted,

Joyce L. Charbonneau  
Town Clerk