

**Town of Auburn  
Board of Selectmen  
March 9, 2020  
Minutes**

**6:30 PM**

**Selectmen Present:** Richard Eaton, Keith Leclair and Todd Bedard

**Others Present** Eric Mitchell, Gary Gramatikas, Pamela Gramatikas, Paula Marzloff, Susan Goodhue, Michael DiPietro, Cynthia McLaughlin, Russell Sullivan, Michael Rolfe, Road Agent Michael Dross, Linda Dross, Fire Chief Michael Williams, Police Chief Ray Pelton, Town Administrator William Herman and Nancy Hoijer, Recording Secretary

Mr. Eaton called the meeting to order at 6:30 PM.

**Non-Public Session pursuant to RSA 91 – A: 3 (II) (c)** Consideration of discussion that would likely affect adversely the reputation of any person, other than a member of the public body itself.

***Mr. Leclair motioned to go into Non-Public Session pursuant to RSA 91-A: 3 (c) at 6:30 PM. Mr. Bedard seconded the motion. A roll call vote was taken: Mr. Eaton – yes, Mr. Leclair – yes and Mr. Bedard – yes. The motion carried unanimously.***

The meeting room was closed to the public at 6:31 PM.

***Mr. Leclair motioned to come out of Non-Public Session at 6:55 PM Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

***Mr. Leclair moved to seal the minutes of the non-public meeting. Seconded by Mr. Bedard. A vote was taken, all were in favor, the motion carried unanimously.***

**Call to Order – Pledge of Allegiance**

Mr. Eaton called the public meeting to order at 7:00 PM and led the Pledge of Allegiance.

**Approval of Payroll Manifest for the Week of March 2, 2020 - \$60,108.98**

***Mr. Leclair motioned to approve the Payroll Manifest for the week of March 2, 2020 in the amount of \$60,108.98. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

**Approval of March Election Expenses Manifest for the Week of March 2, 2020 - \$4,350.00**

***Mr. Leclair motioned to approve the March Election Expenses Manifest for the week of March 2, 2020 in the amount of \$4,350. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

### **Approval of Accounts Payable Manifest for the Week of March 9, 2020 - \$1,170,436.25**

***Mr. Leclair motioned to approve the Accounts Payable Manifest for the week of March 9, 2020 in the amount of \$1,170,436.25. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

### **Approval of Consent Agenda for the Week of March 9, 2020**

Mr. Eaton read out loud and offered for inspection a copy of the Consent Agenda for the Week of March 9, 2020 some of which included: two pole licenses – Eversource Energy and Consolidated Communications of NNE Co, one Raffle Permit – Auburn Historical Association, one (1) Town Report Art Contest Acknowledgment Letters to 17 AVS Students, two (2) Abatement-Refund Requests, two (2) Tax Collector's Warrant/Land Use Change Tax and five (5) pistol/revolver licenses.

***Mr. Leclair motioned to approve the Consent Agenda for the Week of March 9, 2020. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

### **Appointments with the Board**

#### **Fire Chief Michael Williams – Monthly Meeting**

Chief Williams reported on the Fire Department's activities for the month of February 2020 which had 56 calls for service broken down in his report.

Chief Williams indicated the Fire Association has provided a custom cover for the boat to keep the water out.

Chief Williams reported recertifications were worked on with a dozen members and Chester and Derry attending. The Department is working on the 2020 Assistance to Firefighters Grant for portable radios and resubmitting the application for Personal Protective Equipment Extractor and Dryer before Friday, March 13<sup>th</sup>.

Chief Williams reported the Department is working with Derry on making the primary dispatch frequency a repeated frequency to improve communications.

Mr. Leclair asked if there was an officer's report from Mr. Saulnier on Station 2 and Chief Williams indicated there was not.

#### **Gary & Pamela Gramatikas – Application for Restoration of Involuntarily Merged Lots – 20 Appletree Road, Map 18, Lot 52)**

Eric Mitchell presented the application on behalf of Gary and Pamela Gramatikas the owners of the four lots, #101, 102, 103 and 104 containing 2.37 acres that comprise Map 18, Lot 52 for restoration of involuntarily merged lots. Mr. Mitchell indicated the four lots were created in 1961 as part of the Sun Valley subdivision. The application requests to unmerge two of the four original subdivision lots - #101 and #103. Lots #102 and #104 are developed and have a home on one and garage on the other. Mr. Mitchell noted the applicants were only recently deeded Lots #101 and #103 from the Estate of Arthur Gramatikas, however the Town has been assessing them as one lot with one owner since 1980 when the Town assigned them to be Tax Map #18, Lot #52 combined with Lots #102 and #104. Each lot is about one-half acre. Mr.

Mitchell indicated they had until 2021 to act on this and the statute was created for cases such as these which have happened all over the state.

Mr. Eaton indicated deeds are usually sent to the Town and he noted he could not find any notice or reason why the lots were merged by the Town or the reason for doing so in 1980. Mr. Eaton felt it was not sufficient alone to become a voluntary merger by combining for purposes of taxation or within a deed description, referencing Roberts v. Windham 2013.

Mr. Bedard questioned whether Lots #102 and #104 would stay together as Map 18, Lot 52 and whether the applicant would prefer to combine or separate Lots #101 and #103. Mr. Gramatikis indicated he would prefer that Lots #101 and #103 be separate. The description in the deed for Lots #101 and #103 are combined to total 49,510 sf, but the plan referenced in the deed shows the lots separately.

Mr. Eaton asked if the lots were buildable and Mr. Mitchell indicated the number of bedrooms may be limited to two per the State's criteria.

Mr. Eaton noted it made no difference whether these lots are configured as one or two lots, the intent was for there to be four lots shown on the plan.

Mr. Herman noted the Town attorney recommended Lots #101 and #103 be separated as a one-acre lot as originally sold.

Mr. Rolfe asked if the 125' well radius were met and recommends checking with the Building Inspector.

Mr. Dross noted it was shown on the plan as four lots. Mr. DiPietro noted even though the lots were described as one, Lots #101 and #103 were referenced.

Mr. Leclair indicated he was not prepared to decide and needed more time to review the materials recommending the application be continued until the next Selectmen's meeting on March 23<sup>rd</sup>. Mr. Bedard agreed.

***Mr. Leclair motioned to continue the Gramatikis application to the March 23, 2020 meeting. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

## **New Business**

### **Conservation Easement – 175 Acres on Chester Turnpike & Dearborn Road**

Mr. Herman provided the Board with a Memorandum dated March 6, 2020 concerning the proposed Conservation Easement for the Sanborn property on Dearborn Road and Chester Turnpike. Mr. Herman indicated the Conservation Commission has been working with the Southeast Land Trust and the property owners to secure an easement on Tax Map #11, Lot #19 which the Boy Scouts have used for camping. The easement would preserve approximately 175 acres of land in Auburn and an adjoining 18 acres in Candia. The total cost of the project is \$1,416,790 including expenses, of which all but \$160,00 is coming from outside public and private funds, gifts and donations. The Conservation Commission would provide the \$160,000 from the Town's Conservation Fund. The Commission has scheduled a public hearing on this expenditure to be held on April 7<sup>th</sup>. They will then come before the Selectmen likely at the end

of April for final action. Mr. Herman indicated the Conservation Fund has an approximate balance of \$800,000 now.

Mr. Leclair requested an inventory of these types of easements and properties. Mr. Herman noted it can be viewed in the Town Report and will get a copy to him.

Mr. Eaton discussed when a property comes out of current use how the developer would pay a Land Use Change Tax, the proceeds of which the Conservation Commission uses to purchase more conservation properties, which take large properties off the tax roll. Mr. Leclair noted this is an easement which the owners would still own and post and do other activities such as logging and farming that are allowed under the easement. Mr. Eaton felt the Town has more conservation properties than it will ever need, and taxpayers on the other side pick up the slack as when it comes out of current use the funds don't go back to the taxpayers.

## **Old Business**

### **Update on Status of HB 1105**

Mr. Herman provided the Board with an update dated March 6, 2020 on HB 1105. He noted the bill, if passed, would require a warrant article and its amendments to both appear on the official ballot. The NH House Municipal and County Government Committee has voted to recommend HB 1105 as inexpedient to legislate by a vote of 10-7. The full House of Representatives is scheduled to meet on March 11<sup>th</sup> and March 12<sup>th</sup> and most likely will vote to support the majority recommendation on this bill.

### **Biannual Boiler Inspections – Safety Complex Items**

Mr. Herman provided the Board with a letter dated February 24, 2020 concerning recommendations made for boiler service discussed at the last meeting together with an estimate from AAA Energy Service for \$1,379.06. Mr. Herman recommended the Board determine the funding source for repair of the boiler and indicated \$30,000 is in the Building Rehabilitation Fund for this purpose with more available in the event the appropriation is approved.

***Mr. Leclair motioned to expend \$1,379.06 from the Building Rehabilitation Fund for repair of the boiler parts at the Safety Complex. Mr. Bedard seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

### **Lawn Mowing and Maintenance Proposal for 2020**

The Board reviewed the bid proposals for the Town and cemeteries landscaping contract from five vendors who submitted proposals. After narrowing the selection to two, the Board had met with Plazascapes of Auburn and Parker Landscapes, LLC of Bedford. The Board had a lengthy discussion comparing the two proposals. Mr. Leclair noted the school has not made a choice and there is a five percent difference with Plaza providing more detail and regular cutbacks at Wayne Eddows fields. Mr. Leclair noted while he had trouble passing up the savings reflected in Parker Landscapes' bid, Mr. Leclair noted he could vouch for Plazascapes from personal experience with the Little League and they had done a good job. The owner of Plazascapes is an Auburn resident and when bids are close, he prefers to give something back to the taxpayers in Town. Mr. Eaton expressed concerns that Parker could not do both cemeteries for \$6,000 coming from Bedford. If it turned out not to be worth their while they may stop coming. Mrs.

Marzloff agreed she could not understand how both cemeteries could be done for the price quoted by Parker with so much detail work required. Mr. Eaton indicated he preferred to give the bid to Plazascapes rather than risk having a problem.

***Mr. Bedard motioned to award the Town and cemeteries landscaping contract for 2020 to Plazascapes. Mr. Leclair seconded the motion. A vote was taken, all were in favor, the motion passed unanimously.***

### **Auburn 175<sup>th</sup> Anniversary**

Mr. Herman provided the Board with a Memorandum dated March 5, 2020 concerning the planning of Auburn's 175<sup>th</sup> Anniversary. Mr. Herman recommended developing a committee comprised of representatives of a number of community stakeholders. Mr. Herman provided a list of potential entities.

Mr. Leclair recommended keeping this on the agenda and asked Mr. Herman to reach out to see who is interested in sitting on the committee with April fast approaching.

### **Report/Comments of Ex-Officio Board Representatives**

Mr. Bedard reported Parks & Recreation reviewed job descriptions and will revisit them next month.

Mr. Leclair reported on the Planning Board. The Board heard of a proposal involving a 13-acre site near Mega-X that would build two duplex units on a 300' private road off Bypass 28. The developer would be responsible for maintenance of the road. Mr. Leclair expressed concerns with visibility, especially at night, turning left out of the road. Ms. Marzloff agreed and did not think there was 440' Sight distance. Mr. Leclair also reported C Squared Realty is in violation of its lighting plan and were sent a letter first from Dan Tatem of Stantec and then by the Building Inspector.

### **Other Business**

Chief Williams indicated he is waiting for a response from the NH Fire Marshall concerning the sprinkler system at the Auburn Village School and will follow up with Mr. Villeneuve.

Mrs. Marzloff noted there was a lot of misunderstanding about the proposed zoning amendment concerning 55 and over housing. Mr. Leclair thought this stems from the unlikely passage of a bill in the Legislature which people believe would allow affordable housing to be substituted for 55 and over.

Mr. Leclair presented Mr. Eaton with a gift on behalf of the Board of Selectman and the Town of Auburn with appreciation for six years of service as a member of the Board, which was met with a round of applause from the public. Mr. Eaton thanked the Board and wished Mr. Rolfe and Mr. Sullivan luck at tomorrow's election.

### **Next Meetings/Events**

Tuesday, March 10, 2020 – Town Election Day – AVS – 7:00 AM to 7:00 PM

Monday, March 16, 2020 – Swearing-in Ceremony Town & School District Officers – 6:00 PM

Monday, March 23, 2020 – Board of Selectmen's Meeting – 7:00 PM

## **Minutes**

- February 24, 2020 Public Meeting

***Mr. Bedard motioned to approve the minutes of the February 24, 2020 Public Meeting. Mr. Leclair seconded the motion, with all in favor, the motion passed unanimously.***

## **Adjourn**

***Mr. Eaton motioned to adjourn the meeting at 8:12 PM. Mr. Bedard seconded the motion, with all in favor, the motion passed unanimously.***

Respectfully submitted,

Nancy J. Hoijer,  
Recording Secretary