

BOARD OF SELECTMEN
MEETING MINUTES
January 28, 2019

Members Present: Selectman Murphy, Selectman Bennett, Selectman Guthrie

AA to Board of Selectmen: S. Theriault

Visitors: J. Lavelle (Lavelle Associates), Attorney D. Gorrow, Attorney S. Clark, J. Worthen, E. Cabral, D. Anthony, H. Steadman, L. Remitis, J. Grimm, M and G. Eaton, D. Cote, and P. Steriti (and three unidentified people)

Library Trustees (and Alternates) C. Flaherty, B. Vass, B. O'Brien, N. Gallo, C. Fernandes and Director R. Krol

Public Announcements

- Friday, February 8th is the Deliberative Session at HMS starting at 7 pm.
- Waste Oil, car batteries and thermostats are collected at the Town Garage on the first and third Saturdays of the month 8 am to 1 pm.

Visitors Comment

24 School Street- S. Dale

Mr. Dale was present to tell the Selectmen that he recently lost water in his well suddenly. He explained that he has been a resident for about 4 ½ years and has had no issues with his water. He had water Thursday morning when he left for work and Thursday night he had no water. There were no indications of issues, just gone. He brought forward his concern about his loss of water because he is the last house before the Middle School and he had heard about issues with other properties wells going dry. He went on to state that he had some plumbers in to check and see what the issue was and both are telling him the pump and everything else was fine, but that the well had stopped working. His pump is at 190 feet and the water level was at 180 feet. He noted that there is usually a cause and effect relationship and felt that there needed to be more research.

N. Gallo spoke to the wells that used to be on Timberlane Road that were built back in the late 1960's. She stating that they were built to supply the 23 homes on the road, but as Hampstead Area Water Company was developed, the wells were capped.

Mr. Dale was asked if this was the first time it happened and he responded yes. Everything was working fine and his water flow was like it had always been. Selectman Guthrie asked if any of the neighbors were having issues. Mr. Dale said that he has tried to mention it to them and added that the people in town have been very supportive and helpful. Mr. Dale noted that the water issues coming up in town are going to give the town a bad reputation.

D. Anthony- 414 Main Street asked what kind of a backup plan the Middle School would have if it was to run out of water. She thought that Hampstead Area Water Company could get lines in there quickly, but they seem to be maxing out. Chairman Murphy responded that this would be a conversation with the School Board.

Department Heads

Library –Director Rosemary Krol

She asked if she could have the Library Trustees speak to the concerns on the budget. Library Trustee Chairman N. Gallo directed her question to Selectman Bennett. She asked him if it was still his intent to amend the Library Budget as was discussed at the last Selectmen's meeting. The discussion at that time was to reduce the budget by \$12,835.00. Selectman Bennett responded that he didn't have an answer for her at this time. He explained that at least two meetings ago he asked the Trustees to look at their 11% increase and see if they could decrease it to 6%. He stated that he had not received any response and that they came in and reduced one line item.

N. Gallo explained that they had responded to him. She also went on to explain that the extra pay period for 2019 created an increase to the budget of \$12,854.00, almost the exact difference that Selectman Bennett was looking to reduce. She went on to state that if that was taken out of the budget the remaining increase would be 6.66%. Selectman Bennett thanked her for her response. N. Gallo then went on to talk to the warrant article that requests \$10,000 for the maintenance fund. She stated that the flashing on the library is coming down and dropping on the ground, which is creating a safety issue for people using the library. This needs to be repaired and that there is rotting wood under it. She noted that it was the Town's responsibility to make it a safe and secure place so people could go to the library. She suggested that the Selectmen go to the library and look around at what needs to be fixed and to see how much use the library has. She asked the other Selectmen if they felt the same was about the budget as Selectman Bennett did. Chairman Murphy pointed out that Selectman Bennett is a taxpayer and has the right to make amendments to the bottom line of the budget at deliberative session. Chairman Murphy stated that his response would depend on the explanation of the amendment. N. Gallo pointed out that they need the support of the Selectmen and then asked if they reviewed all the budgets the same way. Chairman Murphy stated that most of the departments' increases were due to the 27th pay period and that wasn't an issue. The Selectmen are responsible to ask questions. N. Gallo went on to state what would need to be cut if they were to reduce the budget by the \$12,835.

B. O'Brien, Treasurer of the Library Trustees spoke to Article 10, which is the maintenance fund for the library. He explained that the first request was in 2009 and every year since, the article has been in the budget and it has been recommended by the Budget Committee and the Selectmen, until this year. He explained that they have spent about \$60,000 of the \$80,000 they have been given. The next plan was to finish the second floor rug which would take them about three years to raise the estimated \$27,000 funds. Selectman Guthrie stated that there was a lot of talking about the flashing issue at the library, yet this is the first time it has come up as an issue and he asked if it had gone out to bid yet. N. Gallo responded that it had not. They had anticipated doing this done the road, but with the pieces falling off and not being able to reattach, they are looking to do it sooner. Selectman Guthrie asked if the \$14,000 in the fund was enough to do the flashing work and if that was the number 1 priority. Mr. O'Brien stated that there are other funds that they use for maintenance items but there are funds that are to provide a service to the patrons, not maintenance.

R. Krol reported that there are pieces of metal that fell after a storm they required being picked up. They aren't able to put the pieces back on due to the wood rotting. There are also leaks around the windows and siding that need to be addressed and the 2nd floor rug to be replaced and the \$14,000 in the maintenance fund won't go far. Selectman Guthrie said that this was the first he had heard that the building was this bad. N. Gallo again offered to take them on a tour of the building and see.

C. Flaherty asked to speak to state that in the past the two boards have worked together and been supportive of the funds. She noted that this was now a point of safety for the patrons and they need to protect them when they visit the library. She noted that it was better to put the money aside rather than have a disaster and not have any funds.

B. O'Brien asked that the Selectmen reconsider their recommendation before deliberative session and leave no questions unanswered. It was noted that the Library Trustees meet on the 3rd Tuesday of the month at 2:00 pm, but that they would be willing to move any particular meeting to accommodate someone that can't make it.

Recycling and Waste Disposal Committee- Ellen Cabral, Chairman

E. Cabral gave a brief update of the new trash and recycling program and how it has been working. She pointed out that the changes in the Recycling program are not because of the change of vendors but because of the changes in the industry. She explained the process that the committee went through and how the bid results were. (a copy of the recap notice is attached to the minutes). She explained that they went with the 65 gallon carts because the limits set back in 2012 were 4 15 gallon bags, or 2 30 gallon bags. The one trash cart would hold that limit. She reminded people of some of the issues that have come up, such as the carts need to face the street with the handles away from the street. They need to be curbside by 7 am and must be closed. Selectman Bennet stated that he

knows that there has been an occasion that they started prior to that. E. Cabral stated that they would look into it, but they are not allowed to start until 7 am.

New Business

Hadley Road Road Opening- John Maison (Developer), Jim Lavelle Surveyor and Stephen Clark, Attorney.

At the prior meeting of the Selectmen, Mr. Lavelle had asked about opening Hadley Road from the point it was discontinued. At that time Mr. Lavelle was told that it would take town meeting approval to open the road (RSA 231-22 (a), but Attorney Clark was present tonight to state that there is also the option of the Selectman laying out the road (RSA 231-8). The current road is a Class 6 road and the developer is looking to add a 6 lot subdivision at the end of the road. Chairman Murphy noted that at that meeting that is what he thought, but since had done some research and realized that a road lay out was an option. Attorney Clark pointed out that the road lay out is a win win situation. The Conservation land at the end of the road would be able to have a small parking area for access to the property and the road is opened for the development. He asked that the Selectmen be open to hearing the request. He then gave a brief outline of the process which includes a public hearing (with the proper notifications) and then filing of the final outcome. He offered to have Attorney Gorrow review the outline he will put together. Selectman Bennett said that he was open to looking into but wasn't sold on the idea of opening the road. Chairman Murphy was okay with moving forward with the process. Attorney Clark stated that the next step would be to submit a petition and get it on the agenda. He thanked the Selectmen for their time.

Old Business

There was no old business

Liaison Reports

Selectman Guthrie- He announced that he is working on the Town Report with S. Theriault and that the cover is almost done. He will bring it in to show the Selectmen when it is ready.

Selectman Bennett- Nothing to report

Chairman Murphy- Nothing to report

AA Report:

Posting of the Warrant and Budget

The warrant and budget have been posted at the HMS, the Town Offices, the Library and the East Hampstead Post Office.

Classification and Compensation Study

Gary Thornton will be meeting with the Department Heads on February 5th to discuss the details of the classification and compensation study.

Federal and State legal notices

S. Theriault stated that she has copied a number of legal postings that are required by both the State and Federal Governments. These copies will be disbursed to the various departments to be posted in the buildings. While there are many postings already, and we are in compliance. It is prudent to periodically make sure that all of the notices are up to date.

Town Report

A majority of the departments have submitted the annual report for the Town Report. As in years past, and she will be working with RAM to have the annual report printed and available to the public by March 5th, one week before Town Meeting.

Activity Log

It was reviewed.

Selectman Bennett said that the putting the lawn care out to bid and be taken off. He spoke with both the Recreation Commission and the Cemetery Trustees.

There were no further updates on the other items.

Re- Appointments/Appointments

S. Theriault reported that there are two people interested in being on the Friends of Ordway Park Committee. Selectman Guthrie asked for their information so the committee could discuss it and meet the people.

Call for candidates:

- o Zoning Board of Adjustment, Alternate member – monthly meeting
- o Ordway Park, full members and alternates – monthly meeting
- o Trustees of the Trust Funds, alternate members – meetings as needed
- o Senior Committee – meetings as needed

Correspondence

There was a letter from the REDC (Regional Economic Development) for a marketing survey for the CEDC.

Chairman Murphy announced that this was the last week to sign up for an office. The final sign up would be on Friday, February 1 from 3 pm to 5 pm. He then read the list of open elected positions.

Visitors Comments

John Grimm- 27 Collins Drive

Mr. Grimm had questions on Article 18 and the conservation easement on Hadley Road. He noted that he has lived there for 20 years and has concerns with the removal of the conservation easement and the construction of a cell tower. He noted that the Selectmen have given their support to the article and wanted to know if they had looked into the questions on health and safety.

Chairman Murphy responded that he currently lives near the one recently built at the transfer station. He stated that he doesn't see the structure, even when driving facing it head on. The tower would provide a revenue stream for the Conservation Commission that doesn't need to be raised from taxation. He stated that it was off the beaten path and not located in the center of town. He also explained that health concerns were brought forward with the Kent Farm tower and that the American Cancer Society states it is not a health concern. Selectman Bennett stated that it was revenue for the Conservation Commission but it was up to the town to decide whether or not it should move in that direction. There is a process that needs to be followed if the warrant article was to pass. Selectman Guthrie stated that there has been no input from abutters. Mr. Grimm responded that was because they just heard about it. All the discussions have been held in nonpublic session. Chairman Murphy stated that it would improve communications in that area and the public safety radios would be able to bounce off the tower.

Darlene Cote- 30 Collins Drive

She stated that she feels the health concerns are important due to the proximity of the proposed tower. There would also be issues to the wildlife and property values. The discussions on the proposed tower have all been done in non-public session and that if the residents had known, they would have attended. When it was presented to the public it fell under "budget meeting" and there have been no chances to raise questions. Chairman Murphy stated that if the article passes, the abutters would be notified before the public hearing and be able to ask questions and raise concerns. D. Cote was concerned with setting a precedent that the Town could decide to take back any conservation land and put in towers. She noted that they purchased their house to live near open land (Conservation) for a reason.

Christopher Badessa- 15 Pentucket Drive

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He said that he was actually here to hear both the discussion on the opening of Hadley Road and the proposed development along with the cell tower. He wanted to know exactly where it was going because it would be right in his backyard. S. Theriault stated that the Conservation Commission walked the area but there is no map yet because it is all preliminary information. It would be at the highest point. Mr. Badessa pointed out that he has no issue with cell service so there was no reason for the tower in his back yard. Mr. Badessa asked what the company was and was told that it was still preliminary. Selectman Guthrie stated that the residents should voice their concerns at the deliberative session on February 8th. The vote wpn't be that night, but it would give them exposure to air. It was also pointed out again that if it was to pass, the Planning Board would be required to notify abutters. Those that aren't an abutter directly should pay attention to the Planning Board meetings after the elections. There was a question if there would be a connection to Route 121A on the proposed development. The residents could attend both the deliberative session and town vote. They could stand with signs on March 12th.

A request was made to go into non public session under RSA 91A:3 II (d) Property.

1. **A motion was made by Selectman Bennett to enter into a non-public session under RSA 91A:3 II (d) Properties at 8:26pm.**

Selectman Guthrie, yes: Selectman Bennett, yes: Chairman Murphy, yes.

Selectman Bennett had some questions regarding the Hadley Road negotiations.

A motion was made by Chairman Murphy to close the non-public session under RSA 91A:3 II (d) Properties at 8:38 pm. The motion was seconded by Selectman Bennett. The motion passed on a roll call vote.

Selectman Guthrie, yes: Selectman Bennett, yes: Chairman Murphy, yes.

2. **A motion was made by Selectman Guthrie to enter into a non-public session under RSA 91A:3 II (c) reputations at 8:38 pm.**

Selectman Guthrie, yes: Selectman Bennett, yes: Chairman Murphy, yes.

Selectman Bennett asked if DES or Hampstead Area Water Company needed to be called in to discuss the issues. It was agreed to move forward with the request for the public hearing when the final application comes in for the Angle Pond Well and see what other issues or questions come up.

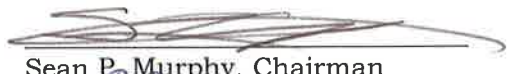
A motion was made by Chairman Murphy to close the non-public session under RSA 91A:3 II (c) reputations at 8:52 pm. The motion was seconded by Selectman Bennett. The motion passed on a roll call vote.

Selectman Guthrie made a motioned to adjourn the meeting at 8:52 pm. Selectman Bennett seconded the motion. The motion passed 3-0.

A True Record:


Tina Harrington, Recording Secretary

Approved By:


Sean P. Murphy, Chairman


Chad R. Bennett, Selectman


Joseph A. Guthrie, Selectman