

BOARD OF SELECTMEN
MEETING MINUTES
June 10, 2019

Members Present: Selectman Bennett, Selectman Murphy, Selectman Guthrie

AA to Board of Selectmen: S. Theriault

Visitors: M. Grimm, C. Cote, D. Cote, K. Keisling, L. Sarapas, P. Carideo, Chief Beaudoin, Chief Carrier, T. Lovell, J. Worthen, B. Ebner and P. Williams (Tri Town News).

Public Announcements

- Wednesday, June 26th there will be a public hearing held at the Middle School at 6:30 pm regarding Angle Pond Well #3.
- Saturday, June 29th will be the 4th of July celebration- Fireworks to begin at 9:30 pm at Meeting House Park
- 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

There were no visitors comments

Department Heads

Planning Board RE: IDDE (Illicit Discharge Detection and Elimination by P. Carideo

The Planning Board is working on the IDDE program that is required under the MS-4 regulations. P. Carideo explained the process they went through to gather the requirements and explained that there were two proposals. One is a proposed ordinance that would require Planning Board approval and move it to the warrant for the legislative body to approve. The second one is an Administrative Program, which is approved and enforced through the Selectmen. He explained that he looked through the EPA boilerplates and also pulled the ordinances from area towns such as Sandown, Plaistow and Atkinson. He noted that the ordinance should be as short as possible. Under the Administrative Program specific personnel could be assigned to the different tasks within the ordinance. He noted that in the Administrative Program there were some blank spaces for the Selectmen to put the answer in. P. Carideo went over the various sections and noted what the majority of other communities have put in that placeholder, and a lot come in under the EPA recommendation. He asked the Selectmen to go over these areas before the program goes to Town Counsel for review.

Section 5- Compliance Monitoring, section 8- Notification of spills. Put in within "1" business day Same section under such records shall be retained for at least "3-5" years (3 years min)

Section 5- Compliance Monitoring, section 9- Notice of Violation number 6 appeal with "30" days

Section 5- Compliance Monitoring, section 10-Suspension of MS4 Access & Emergency C & D orders (page 6) within "30" days (options 30, 60 or 90 with most at 30).

Section 5- Compliance Monitoring, section 11 Enforcement Measures after Appeal add within "90" days (all they looked at had 90 days)

Section 5- Compliance Monitoring, section 12.2 Civil Penalties-Add within "30" days which is the recommended amount. Same section the penalty not to exceed should be "\$500" is in place in others.

Section 5- Compliance Monitoring, section 12.3 Prosecution- Add criminal penalty of "\$500" per violation

Section 5- Compliance Monitoring, section 13 Appeal of Notice of Violation, add must be received within "30" days and hearing held within "15" days (15 or 30 used)

Section 5- Compliance Monitoring, section 14 Cost of Abatement of the Violation to add 30 days to both sections needed.

P. Carideo will have his office update the information above and get a clean copy to the Selectmen to review. He noted that the representative from Rockingham Planning Julie LaBranche recommends that this be in place for June 30th to meet the EPA requirements, but believes as long as in the process

Selectmen's Meeting Minutes

June 10, 2019

Page 2 of 8

they should be okay as long as it does get done. In order to enact the Proposed ordinance would require town meeting vote. This could be a special meeting or wait until the 2020 town meeting. The Selectman could approve and enact the Administrative Program to be in place now and cover until the zoning one is accepted. He stated that all though these are just drafts, he would like to see minimal changes to do them. S. Theriault asked if there were any posting requirements for this and P. Carideo responded they didn't check for the Administrative Program, but she can confirm. If the Selectmen need to post, S. Theriault will look at the dates to get it as close to the June 30th as she can.

Selectman Guthrie motioned to accept the documents and to review them and put it on the agenda for the next meeting to accept as an ordinance. He added to have town counsel review the completed document. The motion was seconded by Selectman Murphy. The motion passed 3-0.

Water Committee Presentation- L. Sarapas

L. Sarapas let the Selectmen know that the committee is working on four goals. The first goal is to better understand the water budget and how much is being used and going out. They started with the information that is available on the One Stop website on NHDES. He gave a piece of information that they were able to get from this site. There are about 1,000,000 gallons of water used by HAWC (Hampstead Area Water Company) per month last year. This number is expected to grow as the town continues to grow. The summer time puts stress on the system. The second goal is to advocate and represent the Town of Hampstead on significant water issues. There are currently two significant water issues and they are the Kent Farm well fields and the Angle Pond Well #3 permit. The report on the Angle Pond Well#3 has recently been released and there is a lot of information in it. He gave a brief highlight in that the new well #3 is proposed at 160 gallons per minutes (gpm) and would run with the other two producing wells in Angle Pond Woods which together add another 20 to 30 gpm. This would equate to about 95,000,000 gallons per year. He briefly spoke about the fact that the three wells at Angle Pond Woods are hydrologically connected. The Kent Farm wellfields were hydrologically connected to the homes on N. Main Street around 414 Main St. which played into the issues those homes had with their wells.

The committee is in the midst of reviewing the Angle Pond Woods well#3 report so they can prepare for the Public Hearing scheduled for Wednesday, June 26th at the Middle School at 6:30 pm. They are also working with NHDES on the format of the public hearing and a question and answer session. NHDES is holding the public hearing and L. Sarapas was hoping that the committee could be helpful to NHDES in other ways during the meeting. There are set ground rules and the committee was informed they would not be able to do any presentations.

He then mentioned that NHDES is looking for one point of contact to deal with. Currently he has been working with Andrew Koff and Sally also gets correspondence from Mr. Roy. S. Theriault confirmed that they want one point of contact, which they prefer to be the governing body. As she would get information, she would pass it along to L. Sarapas. Selectman Guthrie suggested that continue or for Selectman Murphy as liaison be the point of contact. The other selectmen agreed that Selectman Murphy would be the contact. S. Theriault will forward him all the information and his information to Mr. Roy and Mr. Koff. L. Sarapas also reported that they have reached out to NHDES to allow the Town of Hampstead to be a participant in the monitoring of the Kent Farm wells that caused the issues on Main Street. The reduced the current allowed draw, but had not yet set the final allowed pumping rate. NHDES deferred to HAWC to allow the Town to participate or not.

The third objective is to be able to work with HAWC. He reported that they had a meeting scheduled last week but the meeting was cancelled and there is no rescheduled date. He has called a few times, but has had no response to a new date. He asked if the town could help facilitate a meeting. He also noted that he had a working relationship with them recently and was surprised about the cancellation. Selectman Murphy asked for L. Sarapas to send him the contact information and what they were looking to do and he would reach out to HAWC.

The final objective is to find resources that other towns have used and bring them back to use in Hampstead. This will take some time and research and reaching out to other communities. They are looking to be able to have some of this research in order to bring forward future warrant articles.

Highway Department- J. Worthen

J. Worthen gave an update on work being done around town. He has been having his staff work on fixing signs that may have been damaged over the winter along with brush cutting around the signs and end of streets to open up the site distances. He hired a street sweeper that cleaned Veterans' Way where there is curbing and all of the Town's parking lots. He stated that this is a requirement of the EPA MS-4. He also reported that he has done about ¼ to 1/3 of the catch basins a year sucking up sand and dirt etc. This is also a requirement of the MS-4 permit.

He also announced that work on the RSMS (Road & Sign Maintenance Software) has started. Rockingham Planning has someone driving around, slowly down roads. He noted that they should have a sign in the window.

Another update he gave was that the Dept. of Corrections has personnel working on roofing the Town Garage. The cost to do this is about \$1700 for material and then lunch for the personnel for the five days they should be working. He also will have the Dept. of Corrections come back in the fall to do some roadside clean up. Selectman Guthrie asked who had the liability on the people working, if something were to happen. S. Theriault will check that out and they would run it by the Selectmen before any work began.

He spoke to the areas of Town that he anticipates working in over the summer. He has applied for a permit from NHDES for the work he would like to do at Shore Drive regarding the drainage issues. He stated that he likes to get the permits ahead of time in case they don't like the way the work was going to get done. Selectman Murphy asked what roads he planned on doing. J. Worthen stated that he was planning on doing work on Webber Road, Tanglewood Drive, Checkerberry, Mary E. Clark Drive, Central Street, the entrance to School Street and entrance to Timberlane Road. There is also some work on Kent Farm Road near the bottom at Wheelwright that he hopes to grind and pave. Once the schedule is set and he knows for sure he will make sure the public is aware of the work.

New Business

RFP- Fire Department Battery Operated Hydraulic Tools

There were five bids received to replace the generator at the central fire station that recently burned up. Chief Carrier stated that the insurance company should cover all the costs but \$1,000.

1. Gemini Electric- Auburn NH \$32,000.00
2. Brava Electric- Brockton, MA \$47,499.00
3. Brook Field Services- Northfield VT \$24,492.50
4. Tri State Generator- Kingston, NH \$22,695.00
5. TECC Electric- S. Hampton, NH \$27,695.00

Chairman Bennett motioned to forward the proposals to Chief Carrier for his review and recommendation. The motion was seconded by Selectman Murphy and it passed unanimously 3-0.

Chief Carrier came back towards the end of the meeting and asked for the Selectmen to award the bid to Tri State Mechanical of Kingston NH for a cost of \$22,695.00. The motion was made by Chairman Bennett to award the proposal to Tri State for \$22,695.00. The motion was seconded by Selectman Murphy. The motion passed 3-0.

Old Business

Continued Discussion on Wage and Salary Reclassification Study

It was stated at the last meeting of the Selectmen, they actually held a work session to discuss the Wage and Salary Study. There are 8 employees in 7 positions that have been recommended for a change in rate and/or grade based on the internal and external equity report by Gary Thornton. There were two positions that changed two grades and there were a few positions that didn't change grades at all, just moved them up on the current grade.

Selectman Guthrie stated that he felt that the work was completed by a professional and they used the same standards that were used by Hampstead in the past. He felt uncomfortable tweaking their work, but was okay with accepting the report as submitted and had no issue with the proposed changes in rates and/or grades. He just wanted to make sure that the Department Head and Liaison had input on the proposed changes. There was some misinformation by Gary Thornton in that two of the

employees were already on the grades he was recommending they change to. This may have been due to changes made after around the time the study began.

At the work session S. Theriault was asked if she could determine if the employees that are over or at the max would still be there if they were to adjust the COLA. S. Theriault explained that there were seven positions at the max. When it is broken down to comparing at the various percentiles, all but one employee would have some headroom at the top of their grade.

COLA Discussion- There was discussion on the best way to address the longevity for those that are at the max of their grades and to make up for the years that the COLA applied was under the actual cost of living increase. S. Theriault presented a report that was done by Emily Reschberger, former Library Trustee and former Budget Committee member that explained the history of the COLA increases and the effect it has had by using a number below the actual COLA increases. There was an example of an employee that was making \$40,000 in 2007 and would be making \$46,053 in 2019 based on the way COLA has gone. If the COLA had been the actual SSI rate, the person would be making \$49,065. If the Selectmen were to have taken the recommendation of Gary Thornton and Associates to go to a flat 2% increase, the person would be making \$50,730. S. Theriault was asked the impact on the budget, if the matrix was shifted 3%. She responded the potential impact would be \$7,371 for a year. This would just be the difference amount (new money, not compounded).

Selectman Murphy stated that he understood there were three separate items to decide on, the first is the matrix discussion, the second is the Cola decision and the third is the job grade reclassification. He stated that the reclassification would cost \$18,000 annually or \$9,000 for half a year. The shift matrix at 3% would be \$3,685 for half a year or \$7,371 for a full year. He then suggested that the COLA should be the actual amount that is announced each year by the SSI. S. Theriault stated that the current process for determining the COLA is working. It takes the five year average and that determines the amount, whereas in the past it took half the amount. S. Theriault stated that they would be just shifting the matrix and that will allow more head room for those employees with longevity that have reached the maximum rate of their grades. No one would be getting a bump in COLA, just moving the maximum of the grades.

Selectman Murphy made the motion to accept the recommendation of the job grade reclassification as prepared by Gary Thornton and Associates. Selectman Guthrie seconded the motion and the motion passed 3-0.

The Selectmen continued to discuss the COLA and which direction to move in. Selectman Murphy asked how many people would be at the max or over on a 3% increase. S. Theriault responded that one person would be at 3% and no one would be over at the 6%.

Selectman Murphy motioned to adjust the COLA to match the SSA (or SSI) each year.

Selectman Guthrie seconded the motion. It was noted that the rate comes out each October and is given in April. **The motion passed 3-0.**

The Selectmen went on to discuss the adjustments to the matrix. Selectman Murphy stated that he felt there would be more bang for the buck if they went with the 3% increase to the matrix.

Chairman Bennett motioned to increase the matrix by 3% with an effective date of July 1st, 2019.

The motion was seconded by Selectman Murphy. The motion passed 3-0.

It was noted on the job reclassification, no effective date was given. The Selectmen agreed to move forward with July 1st.

Continued Discussion Concerning the Police Department Liaison

Chairman Bennett asked Selectman Murphy if all the outstanding items regarding the police department are resolved so that they could move forward and allow him to be the liaison to the police department. Selectman Murphy stated that the Board of Selectmen and the Union are still talking about the SRO (School Resource Officer) position. He went on to state that he would like to continue on as the liaison especially whereas the Chairman already has the fire department, highway, buildings and grounds and the Chair position.

Selectman Guthrie stated that with a three member board it is hard to come to a conclusion when there is a difference of opinion. Chairman Bennett responded that it would only take a vote of the

board. Selectman Guthrie went on to explain that he had no issue with the Chairman taking the liaison for the police. He stated that it is not a hand on type of process, but more a conduit between the Selectmen and the departments. In the past, Selectman Guthrie stated that it was the call of the chair as to who had what for liaisons.

Selectman Guthrie motioned to allow the Chairman, to assign the positions as required. He noted that is similar to what they do now, the assignments are given (chosen) and everyone agrees.

Chairman Bennett seconded the motion. Selectman Murphy asked that the discussion be continued in a nonpublic session. The other two Selectmen agreed to bring the discussion to a nonpublic session at the end of the meeting.

The motion the vote was 2 in favor (CB, JG) and one against (SM).

Library Memorandum of Understanding-

S. Theriault stated that she reached out to some other communities to get any MOU that they have with their Library Trustees. She also asked and received copies of the information R. Krol had received at the library. She went on to explain that there were 8 libraries in the information with one having no specific information on who was responsible for maintenance. There were 4 that had the Town responsible for the exterior and library interior. There were some that had the town responsible for both and one that the town was only responsible for the grounds. Overall there are not a lot of towns that have the agreement with the library trustees. Selectman Guthrie stated that it makes sense to have an agreement in place so that it is clear who is responsible for what. The current proposal is basically what they have been doing all along, stated Selectman Guthrie.

Selectman Guthrie reported that he spoke R. Krol, he told her that if they needed any help or expertise, they could reach out to the town. It is the responsibility of the town to make sure any work is done properly. R. Krol responded to him that they felt they had the experience and expertise needed. It was also noted that they currently review and accept bids on their own. Selectman Guthrie stated that the Library Trustees are responsible for the library and if they want advice or help, they can come forward to ask. He also noted that they are fixing issues in the building.

Selectman Murphy stated that they aren't looking to be in control of the library, but for the Trustees to consult with the town for projects that exceed \$10,000. It was stated that at the end of the day, it is all the taxpayers' money, regardless of the pocket it comes from. The request is for them to consult on any repairs and maintenance to the exterior of the building that exceed \$10,000. Selectmen Guthrie will bring it up at the next trustee meeting and S. Theriault will forward the proposed MOU to R. Krol for their review.

Selectman Guthrie asked about the issue on the side of the building and where things stood regarding it. He noted that he had spoken with S. Harms and there was talk about a pipe going out and then the walkway. Chairman Bennett stated that there are questions such as the elevation and how high off the ground. This should all be in some drawings. At the time he went down there, they had no formal design. Selectman Guthrie stated that he would pursue this with Chairman Bennett, S. Harms and R. Krol to get a resolution. The discussion was left with Section 6 having been added requiring reaching out to the town when over \$10,000 and to forward to the Library.

Liaison Reports

There were no updates.

AA Report:

S. Theriault reported that she attended a social media seminar hosted by Drummond and Woodsum Law firm

The following excerpts were gleaned from the seminar.

- Passwords should be held by the administration for all Facebook accounts. There should be a mission for the use of Facebook pages, etc. and it should be followed. What is the Facebooks pages' purpose? If a Commission/Committee has a separate webpage, that page must post the minutes/agendas pursuant to RSA 91A.
- Information that is posted to the Facebook page should be vetted with the Town

- Use of the Town's seal is intellectual property and cannot be used without the permission of the Town
- Any unrelated material should not be posted to the Facebook page.
- Open forums would require that comments would need to be monitored and it is extremely difficult to objectively determined which comments should be deleted and which shouldn't.
- Open forums could create conflict. There are national organizations that will purposefully use the website comment sections to create conflict.
- If it is an open forum there should be a disclaimer that the posts are not a public record and will not be preserved. There should be a disclaimer as to how often records will be purged.
- Links from the website/Facebook page need to be monitored for political content. For example NH Forest Society is against the Northern Pass.
- Need to be careful about electioneering can't say vote for Article # XX.
- If something is removed it must be saved elsewhere with an explanation as to why in case it is challenged in the future.
- Identify who has the authority to post for a department or organization.
- Training should be given to the Communications Committee should the BOS appointment members. The requirements in the public sector differ from those in the public sector.
- Employees who wear a uniform cannot post themselves on their own Facebook page because the emblem has the town seal and the town seal is owned by the Town (intellectual property).
- If there is a code of conduct. Employees can be held to that code and may be disciplined based on their social media page. Employers on the other hand can't require that the employee add the employer to their Facebook friend list or ask for login password.

Updated webpage

The Selectmen were asked to review the mockup for the new website and let S. Theriault know if they want to make any changes. She noted that it needed to be signed off that the town is okay with the changes. Selectman Murphy suggested that live broadcasts be changed to recorded meetings. The pictures for the website are still being gathered. There is a specific requirement on the number of pixels. Selectman Murphy asked if there could be a link for other organizations in town such as the Civic Club, Lions' Club or the PTSA. S. Theriault stated that there would need to be a review of those links to make sure the town wasn't put into an improper position. T. Harrington suggested that registrations be added as a quick tab. Help wanted and RFPs are now listed as job opportunities or openings. S. Theriault will make the updates and sign the approval.

Palmer Gas-There was a quote received from Palmer Gas for the upcoming heating season. Roughly the cost is up \$.03 on the diesel per gallon. The cost is up \$.10 on the propane cost per gallon. The Service rate is 15%. If the Selectmen want to go out to bid, it would need to do so now. With a change in vendors comes a change in the some of the tanks and inspections on the equipment for any potential issues. S. Theriault reported that the last time the margin was very small.

Activity Log

The activity log was reviewed. The RSMS program has started. Chairman Bennett and J. Worthen were looking to adopt the State of NH rules and to make sure that they would work and incorporate them into the Highway Handbook.

The workers compensation policy has had some claims against it the last few year, which would have an impact on costs if it were to go out to bid. One of the things they look at are claims history. It was suggested to look at the years of claims and see when they would be dropping off.

Selectman Bennett stated that they are looking at a one sided wall now at the handicapped ramp on the side of the building. Overall the ramp is fine and the drainage issue has been resolved for now so they may not need to cut up the parking lot. There is no change in the projected date.

Call for candidates:

- o Zoning Board of Adjustment, Alternate member – monthly meeting

Selectmen's Meeting Minutes

June 10, 2019

Page 7 of 8

- o Trustees of the Trust Funds, alternate members – meetings as needed
- o Budget Committee- monthly meetings (would need to run in March 2020)
- o Conservation Commission, alternate member- monthly meetings.
- o Communications Committee
- o Planning Board member (meets twice a month and would need to run in March 2020)

Correspondence

There was none

Visitors Comments

There were none

Non-Public Session

A motion was made by Selectman Guthrie to enter into a non-public session under RSA 91A:3 II (b) hiring at 9:24 pm.

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

Chief Carrier was present

Chief Carrier told the Selectmen that he is recommending for hire, Joseph Luccisano as a new Full Time Firefighter. He explained the process that the applicants went through and that Mr. Luccisano came out at the top of each section. He is currently certified as at a firefighter 2 level and has the CPAT (State of NH Requirement). The conditional offer letter he has drawn up states that it would be effective June 30, 2019 and he would have a physical as a condition off the offer and will be on probation for one year. All the background checks were done when he was hired to the call/per diem department.

Chairman Bennett made the motion to give a conditional offer to Joseph Luccisano to start on June 30, 2019. The motion was seconded by Selectman Murphy. The motion passed 3-0.

Chief Carrier left at 9:36 pm

A motion was made by Selectmen Guthrie to close the non-public session under RSA 91A:3 II (b) hiring at 9:36 pm. The motion was seconded by Selectman Murphy. The motion passed on a roll call vote.

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

A motion was made by Selectman Guthrie to enter into a non-public session under RSA 91A:3 II (c) reputations at 9:36 pm.

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

Chief Beaudoin came in at 9:36 pm

Chief Beaudoin asked the Selectmen for some information regarding the request to have some accident reports reviewed. The Selectmen discussed the issue and it was agreed that anyone with information regarding these accidents would forward information to the investigator.

The Selectmen signed the nonpublic minutes for the last few months.

Chief Beaudoin left at 10:00 pm.

Selectman Murphy brought up the discussion on the liaison to the Police Department and again reiterated that he would like to continue on as the liaison. There was some discussion as to why he preferred to stay. Chairman Bennett responded to some of the concerns brought forth by Selectman Murphy regarding the last time Chairman Bennett was the liaison. Selectman Murphy stated that he has always given up some liaison positions over the years but likes having the police department and would like to continue. Ultimately, he stated that if Chairman Bennett wanted the position, he didn't see was it was a big deal, but if that is what is agreed than okay.

They agreed in nonpublic to switch fire and police. Police will go to Chairman Bennett and Fire will go to Selectman Murphy. There will be a vote in public session to this effect.

Selectmen's Meeting Minutes

June 10, 2019

Page 8 of 8

The Selectmen discussed the final version of the Union Agreement side bar on the SRO position and where it currently stands. The Selectmen have agreed to all of the requests by the Union except for one. The Selectmen have agreed that is their final offer and are waiting to hear from the Union as to what their next step is.

Selectman Murphy mentioned that he had not yet reached out to Plaistow to get on their agenda, but that the next meeting is coming up. He stated that he could still meet with the Selectmen there, or Chairman Bennett could attend. Chairman Bennett agreed to reach out to Plaistow to discuss some issues.

A motion was made by Selectmen Guthrie to close the non-public session under RSA 91A:3 II (c) reputations at 10:38 am. The motion was seconded by Selectman Murphy. The motion passed on a roll call vote.

Selectman Guthrie, yes: Selectman Murphy, yes: Chairman Bennett, yes. Chairman Bennett motioned to change the police liaison to Chairman Bennett and the fire department to Selectman Murphy. The motion was seconded by Selectman Guthrie. The motion passed 2 (CB, JG) and 1 (SM) against.

Selectman Murphy made a motioned to adjourn the meeting at 10:38 pm. Selectman Guthrie seconded the motion. The motion passed 3-0.

A True Record:



Tina Harrington, Recording Secretary

Approved By:



Chad R. Bennett, Chairman



Sean P. Murphy, Selectman



Joseph A. Guthrie, Selectman