

Selectmen's Meeting
23 February 1998
7:00pm

The regularly scheduled Selectmen's meeting was called to order by the Chair, Dick Wollmar, at 7:00pm. Those present included Allen Hines, George Lagassa (Selectmen), and Russell McAllister (Town Administrator).

The Selectmen next reviewed the previous meeting minutes and Mr. Lagassa voted to accept the minutes as published. Mr. Wollmar seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

- Payroll
- Manifest
- Veteran's Exemption - Richard Foster, James Simard, Alice Lakin
- Elderly Exemption - Alice Lakin
- Current Use Application - Kathy Mollica
- Intent to Cut - Bernard Lee
- Pole License - New Road / Exeter Road
- Driveway Permit - Richard Fucci
- DES Letter of Deficiency - Harry Lauer
- DES Minimum Impact Expedited Application - Henry Mixer
- Executive Council Newsletter - Ruth Griffin

Topics of Discussion

Dr. Robert Neville briefed the Board concerning the Little River Watershed Study. Mr. Neville explained that the part of the USDA Forest Service he worked for provided technical and financial assistance in a 20-state area. The study itself is part of the 20-state sustainable management initiative. During the course of the grant habitat relationships, surface and groundwater conditions, and socioeconomic factors will be studied. A buildout analysis will be conducted to evaluate the impact such a scenario would have on habitat, water conditions, and overall quality of life in the community. By way of analogy Mr. Neville related the story of the Chesapeake Bay. It was explained that non-point source pollution was largely responsible for the loss of water quality in the Bay. The result of such poor water quality in the Bay was not only the loss of the Bay's \$200 million a year oyster industry, but the loss of the culture, and quality of life that defined the industry and the Chesapeake Bay area. In summary, Mr. Neville described the Watershed study as a citizen-driven plan for sustainable development of the Little River Watershed that may be used as a model to guide the future growth of southern New Hampshire communities. Mr. Neville fielded several questions from the audience concerning concurrent work by the Army Corps of Engineers, and the study's applicability to fostering changes in the planning & zoning ordinances.

The Hampton Water Works reply about their billing was discussed. The Town Administrator mentioned that the HWW billing breakout was explained in their correspondence. The letter contained the information that the charge per hydrant was \$450 per billing and that there were two billings per year. Therefore the cost was 900 per year for 128 fire hydrants. Mr. Wollmar interjected that the HWW did not perform any maintenance to the hydrants as part of their charge.

The next issue discussed by the Board concerned a grant application forwarded to the Town from the DES for construction of a used oil facility. Brief discussion of construction, monitoring and disposal costs ensued. The TA agreed to research the issue with Bob Strout.

Selectmen's Meeting
23 February 1998
7:00pm

The TA briefed the Board over recent developments concerning closure cost overruns at the Coakely Landfill. It was explained that the Group (the Towns involved in the closure) represented by their attorneys had voiced concerns to the contractor regarding cost overruns and completion delays. Such delays resulted in missing deadlines established by the EPA consent decree. Deadlines, defined under the consent decree, are enforced through the Department of Justice who represent the EPA. Should the EPA through the DOJ impose penalties for non-compliance, as outlined in the consent decree, then the Group would be forced to seek damages from the closure contractor.

The Board next reviewed the renewal of the Health Trust agreement as well as the option of receiving detailed versus general claims information. The TA pointed out that detailed claims information placed a greater burden of responsibility on the Town in the areas of record management and confidentiality. Detailed claims information if improperly disclosed to the public would expose the Town to potential lawsuits. Therefore, the Health Trust was providing the option to the Town of receiving only general information concerning a claim. Mr. Lagassa thought it prudent to remain with the status quo in this case. Mr. Lagassa made the motion to accept only general claims information from the Trust. Mr. Hines seconded the motion. All were in favor and the motion was so moved. The Board agreed to have the Town Administrator sign the necessary papers.

The Board reviewed a petition from residents regarding streetlights. Mr. Wollmar commented that there was only \$50,000 set aside in a warrant article for the project and that most of the money had been used. However, if there were money left over, the request would be given consideration. Mr. Wollmar suggested that a letter be sent to the group.

The TA read the DOT reply to Deborah and Bradford's letter concerning the road hazard on Winnicutt Road. All agreed that it was a nicely worded letter, but the DOT did not offer to solve any of the safety problems associated with the road.

The TA reviewed sample citizen surveys received from Compensation Funds. Included in the samples were business, citizen, and employee surveys. Some discussion ensued regarding the business and employee survey. The TA mentioned that the surveys would be in the office and available for further review by the Board.

The Board next reviewed the correspondence from the US Census. There was an invitation by the Census to participate in the local update of census addresses. It was a way to verify that the addresses the census used matched those addresses used by the Town. The TA agreed to complete the necessary paperwork.

The TA briefed the Board concerning a complaint about airport noise and safety by a Hampton resident. The TA explained that James & Pamela Ardue, Hampton residents, voiced their concern over why an airport was allowed to operate so near a residential development and what local controls were available to regulate activities at the airport. Some discussion ensued over the 50 years the airport had been at its present location and that oversight authority rested with the FAA and not the Town of North Hampton. The TA relayed that he had advised the Ardues that they should contact Hampton and FAA officials regarding the issue.

The Board addressed their authorization for the charges associated with the Water Commissioners recent mailing of flyers concerning the HWW issue. The Board as a body supported the mailing of flyers because they provided information of the issue between the Town and Hampton Water Works Company.

The TA provided a briefing regarding a fax received from David Doskicil requesting legal correspondence forwarded to the Town from John Ryan. It was explained that the TA believed that the legal

Selectmen's Meeting
23 February 1998
7:00pm

correspondence was confidential under the attorney-client privilege. However, Mr. Dorskicil mentioned that he would seek to have the information released to him under the freedom of information act in superior court. Within the text of his fax, Mr. Dorskicil reminded the TA that should he prevail in superior court, then the Town would be liable for his attorney fees and court costs. The TA characterized Mr. Dorskicil's demands as "sabre rattling" but the TA had referred Mr. Dorskicil and his request to the Town's attorney. Some discussion ensued over the issue of Turner Porter v. the ZBA's decision to hear Mr. Dorskicil's appeal of Mr. Porter's subdivision.

The TA next queried the Board concerning where authorization for use of attorney services should originate. Brief discussion ensued wherein an authorization protocol emerged. Apparently the Chairs of the Planning & Zoning Boards as well as the TA are responsible for prior approval concerning the use of legal services by employees. Other employees would need approval prior to utilizing legal services.

Another legal issue briefly reviewed by the Board concerned the historic (1938 to present) legal battle between Little Boar's Head ZBA and Pope's over any change or expansion to Pope's menu. This epic legal saga, previously waged in the New Hampshire Supreme Court, appears destined to be argued before that august body once more on the same grounds.

The TA read letters of commendation from citizens to the Police and Fire Departments.

The Board briefly reviewed the Boundary and Annexation Survey provided by the US Department of Commerce as part of the upcoming 2000 census. The TA was directed to complete the survey.

The Board discussed the cable rate complaint forms and their availability at the Town Office. All cable users who were unhappy with the recent increase in cable rates were urged to fill out an application at the Town Office.

The Board next reviewed the Administrative Assistant / Bookkeeper position. The TA explained that he had drawn up a position description that addressed the need for a bookkeeper and administrative assistant. The position description was broken out into factors, or areas of responsibility. It was explained that breaking the position description into areas of responsibility will form the basis of a performance evaluation. Mr. Hines made the motion to accept the TA's recommendation to promote Janet Facella to the position of Administrative Assistant / Bookkeeper. Mr. Lagassa seconded the motion. All were in favor and the motion was so moved.

Selectmen's Concerns

Mr. Wollmar briefed the Board members about a request from David Batchelder for a Selectmen's endorsement for a New Hampshire Water Watch (NHWW) grant request from the DES. The NHWW would be studying the Winnicut River. The study encourages community participation and trains community members to become active stewards of the river. Brief discussion ensued with Mr. Lagassa making the motion to endorse the NHWW Winnicut River study. Mr. Hines seconded the motion. All were in favor and the motion so moved. Mr. Wollmar directed the TA to draft a letter of endorsement and the TA agreed to do so.

Mr. Lagassa spoke briefly on the ZBA's reversal of decision to rehear David Dorskicil's appeal of the Turner Porter subdivision. It was explained that Mr. Dorskicil could still appeal the ZBA decision one more time.

Selectmen's Meeting
23 February 1998
7:00pm

Mr. Hines relayed a citizen concern over the availability of the Planning and Zoning Boards' adopted rules of procedure. Mr. Hines mentioned that the adopted procedures are required to be on file with the Town Clerk. Mr. Griffin (Chair, Planning Board) commented that the Planning Board had adopted such rules of procedure but was unaware that they needed to be on file with the Town Clerk. The TA suggested that copies be made available in the Town Office for those people looking to review the documents. Mr. Griffin agreed to do so.

Mr. Hines briefed the Board on the status of the Mary Herbert Memorial. It was stated that there would be a plaque commemorating Ms. Herbert as the first Lady Selectmen ever in North Hampton. It was agreed that this, and her community participation, is how she would best be remembered. There was presently \$735 in donations.

Questions & Comments

Lucille Ellingwood made the comment that people should be held more accountable for legal costs. Comments over the success of the mosquito control efforts on the marsh. Bird houses had been erected and many species of Swallow had nested within the houses. Their industry, it was explained, had greatly reduced the mosquito population.

There being no further business to come before the Board the public meeting adjourned at 9:02pm.

Respectfully,

Russell McAllister
Town Administrator