

Selectmen's Meeting
13 April 1998
7:00pm

The regularly scheduled Selectmen's meeting was called to order by the Chair, Allen Hines, at 7:00pm. Those present included George Lagassa, Jack Steiner (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. Steiner seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

- Payroll
- Manifest
- Current Use Application - Lucille & Kenneth Ellingwood & Jeffery & Cynthia McClure
- Executive Council Newsletter
- Waste Management Contract
- Solid Waste District 53-B Grant Application for Recycling Education
- ICMA Publication - Electric Deregulation

Topics of Discussion

The TA briefed the Board on the status of a number of ongoing activities.

An update on the NH Envirothon, the equivalent to the Odyssey of the Mind competition, would be held at the Elementary school Saturday the 18th with participants from across the State's High Schools. It was explained that the NH Envirothon was also serving as a kick off event for the Little River Watershed Project.

The status of the Tax Collector's software, provided by CompuSense, was presented to the Board. The TA reported that a tentative contract was crafted for approximately \$13,000, some \$5,000 less than approved at Town Meeting. Training and delivery of the software would occur prior to the end of the present fiscal year, but payment to CompuSense would be later in July. This arrangement ensures that the vendor will provide the necessary support during the software transition.

Work by the Sisson brothers, portraiture, and graphic artists' extrodinaire, on the Town Seal was reviewed with an example of the work displayed for those in attendance. The work was being donated to the Town with the stipulation that \$100 be donated to the elementary school on behalf of the Sisson brothers.

The Board was briefed on a new part-time hire for the brush dump. It was reported that Steve Buchanan had received certification from the state prior to his employment.

The TA relayed the information to the Board that the Beach stickers were in and that the State had formally agreed to provide 20 parking spaces for the Town at an annual cost of \$6,700. The Board agreed that the previous year's price of \$20 would not be increased. A family could purchase as many stickers as they had cars with the total number of stickers sold not to exceed 500. The TA was directed to negotiate with the State to procure 5 additional spaces for the following year.

Mention was made of the scheduled 7:00pm 4/14/98 Scenic Byways meeting in the Mary Herbert Conference Room. Traffic counts and their locations were briefly discussed with the Board leaving the decision of where to place the traffic counters for the current year at the discretion of the Planning Board.

Selectmen's Meeting
13 April 1998
7:00pm

Mr. Lagassa spoke on the issue of the Servathon by explaining that it was a charitable event sponsored by RCA and Clipper Health. The premise of the Servathon is to assist individuals with tasks they cannot do themselves, such as yard work. A corporate group or team provides such assistance. The TA responded that he had been contacted and that six individuals would be receiving services through the Servathon.

David Chevalier addressed the Board regarding his belief that there is inadequate street lighting along Hobbs Road running down towards Atlantic Avenue. Mr. Hines suggested that there was a phase one of the streetlighting project that dealt exclusively with highway safety concerns. Perhaps there should be a second phase of the lighting project that addressed other safety issues not directly related to highway safety. Elmer Dalrymple addressed the issue as a resident of Grand View Terrace. He explained that there was a blackout during WWII, but that there was no need for one now. Other comments were expressed about the lack of streetlights. It was mentioned that there were approximately 270 lights previous to the lighting project and that the numbers had been reduced to between 150-175 lights. Mr. Lagassa explained that a majority of people at the 1997 Town Meeting voted for the street lighting project with the understanding that there would be removals and the result would be fewer lights. Mr. Steiner suggested that it might be proper to have the costs and locations of any additional street lights placed on the warrant for the next year's meeting as there was currently no money in the budget for additional expenditures on street lighting. George Beaman, who had volunteered his lighting design experience to the project, next addressed the Board. He explained that the location criteria utilized in the street lighting project addressed only highway safety issues and nothing more. He explained that the scope of the project did not include lighting concerns for security, cycling, or walking. He suggested that those who engaged in such activities needed to take personal responsibility for wearing proper reflective clothing and having lights affixed to their bicycles during the evening. Mr. Lagassa voiced concern that there was a need for a cohesive policy to deal with the lighting issue. Lights had been incrementally added while money was available within the budget, but now that the money was no longer available, additional lights could not be approved. Mr. Hines agreed explaining that there may well be other justifiable reasons for more street lighting other than highway safety. Mr. Steiner echoed those sentiments suggesting the need for a citizens committee to address the problem. Mr. Hines, addressing those present, explained that they were now talking about "Political Street Lighting." Emily Haggarty asked why the lights were left on in Dearborn Park. It was explained that the lights were left on to deter criminal mischief and vandalism to the grounds and equipment within the park. The TA posted a list soliciting membership on a citizens committee to address the street lighting issue.

Scott Provencal, Rob Friedman & Barry Donohoe next addressed the Board concerning the 'junkyard' like conditions that existed on the Walnut Avenue and Lovering Road properties owned by Ladd Carmen. They expressed their concern over health and safety issues due to the amount of automobile and construction material and debris on the Lovering Road and Walnut Avenue properties owned by Mr. Carmen. It was stated that the Walnut Avenue property had an abundance of unregistered cars in various states of repair and disrepair. Other items causing concern to neighbors were construction debris and materials. It was stated that the property owned by Mr. Carmen on Lovering Road also contained construction debris and that materials including concrete forms that purportedly gave off an oily kind of smell during hot days. According to Mr. Friedman the smell prevented him from entertaining in his backyard during the summers. He lamented the fact that since he had lived there (5 Years) he had not once been able to entertain during the summer because of the odor that he believed emanated from the concrete forms piled adjacent to his property line. All agreed that the issue of the cluttered state of Mr. Carmen's properties was an issue of very long standing. Mr. Provencal complained that the amount of clutter, debris and various materials posed too many potential dangers to young children. The TA explained that the briefing package put together by the Building Inspector indicated that Mr. Carmen's property had, at least once before, been cleaned up by the town at the town's expense. Mention was made by Barry Donohoe that at least 13 children lived in the vicinity of the Walnut Avenue neighborhood surrounding Mr. Carmen's property. The Board was asked what they were going to do about the issue. Mr. Lagassa mentioned that it was an issue of

Selectmen's Meeting
13 April 1998
7:00pm

very long standing between the Town and Mr. Carmen that predated the current Board members. It was noted that there was a scheduled site inspection planned for the coming Friday (4/17) with a court hearing scheduled for the following Wednesday (4/22). A brief explanation of the Hampton District Court's consent decree, signed by Mr. Carmen, that directed Mr. Carmen to remove the unregistered cars from his Walnut Avenue property and any cars as well as any construction material from his Lovering Road property by April 1st was given. The TA mentioned that the Superior Court was determining whether the construction use was grandfathered on the Walnut Avenue property as Mr. Carmen has asserted. It was noted that the District Court consent decree appeared not to have been followed.

Representatives from Northern Utilities provided the Board with background information on their recent activities and their summer schedule for maintenance and construction. It was explained that there were no scheduled construction or maintenance activities slated for North Hampton during the summer. Northern Utilities proposed merger with NIPSCO, pending FERC approval, was briefly discussed.

The Board discussed past policy measures approved by the Conservation Commission. Of particular concern to the Board was the Commission's endorsement of a petition to adopt an interim growth ordinance. Mr. Lagassa commented that in his review of the Conservation Commission minutes from a meeting of November 18, 1997 when they rejected the notion of rational planning and legal justifications contained in the RSA. Of specific concern to Mr. Lagassa was "Laura Simmon's report on her meeting with the planning board wherein she relayed that it appeared as if they [conservation commission] will have to go it alone as they [planning board] are bogged down in justifications, rationale, ability to defend, percentages, etc. Laura to modify plan and get revisions to members so petition can be signed." Mr. Lagassa further commented that the Conservation Commission decided to bite the bullet, ignore the Planning Board, stretch its legal mandate beyond its purview, and go it alone by promoting a petition. Mr. Lagassa emphasized that the Conservation Commission is not promulgated to act as a surrogate for the Planning Board. Mr. Lagassa noted that it was his particular concern that the Conservation Commission, during a December meeting, approved expenditures of approximately \$240 for hiring an attorney (Att. Donovan) to investigate the means for placing a citizens petition for an interim growth ordinance on the warrant. Such expenditure on legal opinions regarding an interim growth ordinance (IGO) was not only beyond the purview of the Conservation Commission but increased the overall legal expense for the Town. On the one hand, the Conservation Commission was expending money for legal opinions, through the services of an attorney other than the Town Attorney, concerning the incorporation of an IGO. On the other hand, the Board of Selectmen was using the services of the Town Attorney to ascertain the legality of the citizen's petition. Mr. Lagassa asked the money expended by the Conservation Commission (CC) for legal services be returned. Mr. Hines agreed and commented that asking for outside legal opinions was outside the CC's purview. It was further stated that CC, in acting as it did on this issue, was doing what it pleased rather than doing what was appropriate as a Conservation Commission. Mr. Steiner explained that regulations guide the behavior of Boards and he was concerned that at one meeting there were 9 votes taken on an issue where only seven members are allowed to vote. Mr. Lagassa suggested that some actions of the CC reflected sloppiness in administration. Mr. Lagassa recalled a conversation with a member, Charles Gordon, wherein Mr. Gordon expressed confusion over his membership status of being either a full member or alternate member. Mr. Lagassa commented that land use was a hot button and growth control was a political hot potato at this time. Shirley Carter, Chair of the Conservation Commission, admitted that she had made a mistake and offered her resignation. The Board did not feel that it was necessary, but Mr. Hines asked whether or not she was ready to refocus. Ms. Carter responded in the affirmative. Ms. Carter went on to explain that she had taken over after the untimely death of Nelson Burge the previous Christmas Day. She admitted that filling Mr. Burge's shoes was indeed difficult given his many years of experience and service on the Conservation Commission. Mr. Lagassa commented that his remarks bore no personal animosity towards any individual. It was time to look towards the future and that volunteer members of the various Town Boards have always provided good service to the Town. Brief discussion ensued regarding

Selectmen's Meeting
13 April 1998
7:00pm

the need to foster better communications. A member of the planning board would also sit on the conservation commission.

Henry Mixer, member of the conservation commission, next addressed the Board concerning the details of a grant to be submitted to the Office of State Planning's New Hampshire Estuarine Project. The proposed project, Little River Marsh Landowner Organization Project, is Phase 1 of a larger effort by the North Hampton Conservation Commission (NHCC) to restore adequate tidal flushing to the Little River Marsh. The goal of Phase 1 is to inform the 30-40 owners of lands in the Little River Marsh of the future restoration project, the need to consolidate management responsibilities and land conservation options available to them. Undertake a delineation of the wetland boundary of the marsh and determine the relationship of that line to existing property boundaries to facilitate future land protection efforts. A motion to grant CEO authorization to Russell McAllister (Town Administrator) for submittal of the grant application to OSP was made by Mr. Hines. Mr. Lagassa seconded the motion. All were in favor and the motion was so moved.

A brief discussion concerning the status of the Master Plan ensued among the Board members. Members generally agreed that there should be a sub-committee created by the planning board to update the master plan. The impetus for the sub-committee to do the update work was to alleviate some of the workload of the planning board. Mr. Steiner made the motion to recommend to the planning board that a sub-committee be established to update the master plan. Mr. Lagassa seconded the motion. The vote was unanimous and so moved.

The Board took up the issue of appointing members to the conservation commission. The following appointments were made:

<u>Full Member</u>	<u>Expiration</u>	<u>Alternate</u>	<u>Expiration</u>
<u>Henry Mixture</u>	2001	<u>Dan Beverage</u>	2001
<u>Charles Gordon</u>	2001	<u>Chris Ganotis</u>	2001
Shirley Carter	1999	<u>Roland Neves</u>	2001
Francis Kelly	1999		
James Kierstead	2000		
Bob Dunkell	2000		

Laura Simmons resigned from the Conservation Commission citing personal reasons. John Larkin resigned as a Water Commissioner due to his relocating to Marblehead, MA.

Bob Landman briefed the Board concerning his activities as a representative on the area MPO and some of the transportation issues discussed at those meetings. Mr. Landman explained that the bike route construction, part of the scenic byways program, was still on track but construction was delayed to a future date in North Hampton.

Lee Saunders, representing the Bandstand, spoke to the Board regarding a donation by the North Hampton Garden Club of two granite benches, or settees for the Town Common. Mr. Saunders asked if the Board would accept such a donation. The Board agreed to accept the donation from the NHHN Garden Club.

There being no further business to come before the Board the meeting adjourned at 9:40pm

Respectfully,

Russell McAllister

Selectmen's Meeting
13 April 1998
7:00pm