

Selectmen's Meeting
13 October 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 reviewed the regular meeting minutes of September 28th. Mr. Lagassa voted to accept both the regular and non-public minutes as written. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

1. Planning Board Appt. (Tim Harned) - Signatures
2. Account Credit - Daniel Packard / Lloyd Marshall
3. Veterans exemption - Lloyd Marshall

Town Administrator's Report

The Board discussed a proposed gift of land to the Town of North Hampton by Joseph Fitzgerald. The parcel of land to be donated to the Town was located on the southwestern side of the town and bordered the Town of Hampton. The land was largely wet. Brief discussion by the Board ensued regarding the legal aspects of the gift. Mr. Lagassa made the motion to accept the land on behalf of the town pending further legal review by Town counsel. Mr. Steiner seconded the motion. All were in favor and the motion was so moved.

The TA briefed the Board regarding a request by the Recreation Committee to appoint another alternate member to the committee. It was explained that the addition of another alternate member would be helpful during meetings where there were too few members present to form a quorum. Mr. Steiner made the motion to approve the Recreation Committee's request to add an alternate member to the committee. Mr. Lagassa seconded the motion. The vote was unanimous and so moved.

A request by Daniel Donahue to reschedule the application of the final coat of pavement on Shepherds Lane for the summer of 1999 was reviewed and discussed. It was noted that housing construction was still in progress on a few remaining lots. The application of a final coat of pavement now would mean that construction traffic, particularly heavy trucks, would most likely ruin the final coat of pavement before construction was completed. The Town would then have to repair the road much sooner than if a final coat was applied after the construction was completed.

Mr. Lagassa reported that the Superior Court had determined to send the case between Ladd Carmen and the Town to mediation.

Officer Jason Allen's letter of resignation was read to the Board. The Board asked why Mr. Allen's tenure on the NHPD was so brief. The TA explained that Mr. Allen had received an employment offer from the Seabrook PD that represented a substantial increase in salary. The Board regretfully accepted Mr. Allen's resignation.

Budget Review

Mr. Strout presented the highway budget to the Board noting that the 4% increase in this year's request over last year's budget was because of the request for a fourth person. Mr. Strout explained that in the early 1990's there was a fourth employee, but that the position had been RIF'd due to the Town's poor financial condition. Mr. Strout noted that there was enough work to keep a fourth person busy, especially in the winter time. It was noted that the highway department was doing more of the road repair work themselves

rather than contracting the work out. This had led to substantial savings to the town. Mr. Lagassa noted that Mr. Strout had cut the highway budget in other areas in order to make room for the addition of a new employee. Mr. Steiner asked about the increase in the line item for uniforms. Mr. Strout explained that he was hoping to get uniforms with reflective stripes as a better safety measure for when the employees were working alongside of the road. It makes the employees more visible. The Board agreed to postpone recommendation of the highway budget until they had the opportunity to look at the total budget.

Mr. Lambert presented the Fire Department budget noting that current contract negotiations were underway. Due to the negotiations wage increases were calculated based upon the old contract. It was noted that the overall increase in the FD budget was currently 2%. Mr. Lambert explained that the 15-year-old suburban would need replacing because of its poor condition. A warrant article requesting funding for a new Ford Expedition to replace the suburban was being processed. A slight increase in the maintenance budget was noted. Mr. Hines explained that the FD had always overspent this line item and he felt that it should be fully funded. Replacement of radios was discussed with Mr. Lambert explaining that the old radios were not programmable and were close to 10 years old. Upgrades for the radios were available, but the cost of new radios was the same. Mr. Lagassa asked what the line item for new equipment this year would be comprised of. Mr. Lambert explained that it was now time to replace the current composite air bottles with aluminum. While they were much lighter than steel bottles, composite bottles could only be tested 5 times. Increased air pressure pumped into the bottle during testing weakened the bottles. After five tests the bottles no longer able to pass the pressure test. After further discussion of the new equipment items the Board agreed to postpone recommendation of the FD budget until they had the opportunity to look at the total budget.

Mr. Maloney presented the Police Department budget noting that his request represented a 16% increase due mainly to his request for an additional officer. Mr. Maloney explained that the cost of outfitting a new officer was approximately \$3,000. The addition of another officer, including salary would amount to approximately \$35,000. Mr. Maloney explained that there was a tenth officer during the early 1990's but that the 10th officer was RIF'd due to the Town's poor financial position during that period. The Board reviewed crime statistics for the past 10 years as presented by Mr. Maloney. Brief discussion ensued with the Board agreeing to postpone recommendation of the PD budget until they had the opportunity to assess the total budget.

Selectmen's Issues

a. Old Business

Review & Discussion of the Adopted Hampton Water Works Agreement

Mr. Hines began the discussion by highlighting the length and complexity of the past two years worth of negotiations with the Hampton Water Works over the site conditions and monitoring schedules of the production wells owned by HWW. Mr. Lagassa continued the briefing by commenting upon the concerns raised by citizens at a previous Board meeting regarding the HWW agreement. Mr. Lagassa explained that the concerns raised at that meeting were brought to the negotiating table and were eventually agreed to by the HWW. Many citizens were in favor of having the Board negotiate a settlement like the Town of Stratham had negotiated with the HWW. Mr. Lagassa pointed out that such an agreement had not only been negotiated, but also improved. The monitoring of individual wells and the frequency of monitoring were now the same as the Stratham agreement. There was no longer a need for an individual well owner to demonstrate that other nearby well owners had been adversely impacted in order to initiate a claim against the HWW. All wells within a 3,000' radius of the 3 production wells were now covered by the agreement. Further, wells located along the lineament up to 4,000' away from the production wells were now also covered. It was noted that suggestions received from Tim Harned had improved the language and methodology used to calculate the static water level in the ambient wells. The *t variable* is now to be used

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in the calculations.¹ There were eight wells in Stratham that were to be monitored, whereas in NHHH the number was 43. A compromise was reached whereby the HWW agreed to monitor 8 in the same way as stipulated in the Stratham agreement. Below is a list of well owners:

Richard Betcher
Susan MacDonald
Charles Barton Est.
Steve Miller

Bill Pellitier
Tim Harned
Bill & Cindy Smith
Paul Cutera

The above listed wells were chosen due to their location along the lineaments and their proximity to the production wells. The monitoring schedule for these wells will be weekly for a 6-month period and monthly thereafter. The remaining wells in the 3,000' radius will be monitored quarterly. A question concerning the Town's ability to receive copies of the pumping records was posed. It was explained that the DES requires frequent reports on pumping rates. Water samples must also be submitted to the DES lab for analysis. The results of these reports are available to the public. It was explained that the agreement would now be forwarded to the PUC for a determination. The Board felt that the agreement was a good one and in many respects superior to the Stratham agreement. Mr. Hines noted that you don't get what you deserve, you get what you negotiate. With that said Mr. Lagassa made the motion to adopt the HWW agreement. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

Questions & Answers

Wayne & Ellen Brasseau addressed the Board regarding their concern over a neighbor cutting trees in and adjacent to a marsh. They noted that they had cut trees in a wetland area and had done so without a DES permit. They also mentioned that the Board of Selectmen had the power to stop such activity. Mr. & Mrs. Brasseau also presented a copy of a DES letter that was sent to their neighbor, Mr. & Mrs. Peck. The letter sent to the Peck's indicated that the DES had received a complaint of a possible violation. The complaint alleges that the Peck's were clear-cutting in and adjacent to a marsh. The TA pointed out that the Peck's had filed an intent to cut form with the Town. The Brasseau's felt that the Peck's were in violation. The Brasseau's were asked whether the DES had made a determination in the case. The Brasseau's replied that the investigation had not been concluded. The TA agreed to contact the DES concerning the particulars of the case.

There being no further question to come before the Board the meeting adjourned at 9:20pm.

Respectfully,

Russell McAllister
Town Administrator

¹ *T variable* - a transformation of the scores of a continuous frequency distribution derived by subtracting the mean and dividing by the estimated standard error.