

Selectmen's Minutes
11 January 1999
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 meeting minutes of December 21st. Mr. Lagassa made the motion to accept the regular minutes as written. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

1. Adoption of Public Employees Tax Deferred Retirement Plan (457), salary deferral contributions only
2. Abatements - \$7,612.94 (various)
3. Refunds - \$3,027.47 (various)
4. Hampton Falls - Dispatching Services Cancelled

Town Administrator's Report

The Board reviewed and briefly discussed the Adoption Agreement for the Public Employees Tax Deferred Retirement Plan for salary deferral contributions only. The TA explained that the adoption of the agreement required no contribution to the plan by the Town. All contribution amounts to the plan will be the responsibility of the employee participating in the plan. The Town will act as Trustee of the plan. The Town's tax-exempt status is the mechanism by which the tax-exempt status is conferred on the retirement plan. Mr. Lagassa moved to accept the adoption of the plan. Mr. Steiner seconded. The motion was unanimous and so moved. The Board then signed the agreement and directed the TA to act as the plan administrator.

The TA briefed the Board that Hampton Falls had switched its dispatch services agreement from North Hampton to Hampton due to the nearness of those two communities. It was noted that Hampton Falls previously had left Hampton and sought the dispatch services of North Hampton. Fire Chief Thomas Lambert briefed the Board on the purchase of a new digital tone encoder. Half of the \$2,400 cost would be absorbed by Hampton Falls. The North Hampton fire department's tone encoder equipment was 30 years old. Prior to Hampton Falls decision to switch dispatch service providers, the Hampton Falls FD upgraded their encoder equipment necessitating North Hampton, as the provider of dispatch services, to do the same. A cost sharing agreement between the departments was crafted requiring both departments to split the costs evenly. The Board thanked Mr. Lambert for the briefing and gave the go ahead to purchase the new equipment.

The Board next reviewed correspondence from the Town of Brookline, NH requesting information on Co-op school arrangements regarding apportionment formula and so forth. The Board agreed to respond and directed the TA to research the issue and report back to the Board.

The Board reviewed a request from the Library for a donation of \$180 to fund the library newsletter that included information from Town Departments. The Board agreed to fund the request. Mr. Steiner made the motion to fund the present request only. Mr. Lagassa seconded the motion. The vote was unanimous and so moved.

To Recommend or Not To Recommend

Warrant Articles

The Board next addressed the issue of warrant articles and the Board's recommendation or support of them.

The Board briefly reviewed a petitioned warrant article from Raymond Miller, and at least 25 or more registered voters of the Town of North Hampton to see if the Town will vote to elect the members of the planning board in accordance with the provisions of RSA 673:2, II (b) (1). The Board was not in favor of such an article. Mr. Lagassa commented that electing planning board members would attract people with axes to grind and diminish the kind of expertise necessary for sound land use decision making. The poor record of decision making in neighboring towns with elected planning board members were cited as reasons to oppose the article.

A petitioned warrant article by David Chevalier requesting \$1,400 to install 4 street lights between Route 1 and the Hobbs Road intersection on Atlantic Avenue. It was pointed out that streetlight placement had been reviewed by the safety committee and a lighting expert (George Beaman) who graciously volunteered his time on the project. Mr. Lagassa made a motion not to recommend the article. Mr. Hines seconded the motion. All were in favor and the motion was so moved.

An article to raise and appropriate twenty two thousand five hundred dollars (\$22,500.00) for the purchase of one police cruiser for the Police Department. The Board agreed on the fiscal prudence of rotating one cruiser out of the fleet on a yearly basis to prevent costly maintenance required by older cruisers. Mr. Steiner made the motion to recommend the article. Mr. Hines seconded the motion. The vote was unanimous and so moved.

An article to raise and appropriate twenty three thousand five hundred dollars (\$23,500.00) for the purchase of a pickup truck with plow for the fire department. It was noted the Chevy Suburban was 15 years old and was no longer operational and that it had failed inspection. The cost for repairing the engine and necessary bodywork exceeded its value by several thousand dollars. Mr. Lagassa made the motion to recommend the article. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

An article to raise and appropriate the sum of fifteen thousand dollars (\$15,000.00) for the purpose of constructing a stairway and records room to store and archive Town records and documents above the Police Department. The Board explained that this warrant article was in response to the findings of the Records Management Report conducted by the Inlook Group at no charge to the Town. It was noted that the Town Offices are very crowded and that many records are located in different buildings. The construction of a records room would begin to address the Report findings and improve the records management and storage of Town documents. Mr. Steiner made the motion to recommend the article. Mr. Lagassa seconded the motion. The vote was unanimous and so moved

An article to raise and appropriate the sum of fifteen thousand dollars (\$15,000.00) to be added to the Tennis Courts Capital Reserve fund. Mr. Lagassa made the motion to recommend the article. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

An article to approve the cost item included in the collective bargaining agreement reached between the Town of North Hampton and the Professional firefighters of North Hampton Local 3211 (Fire Fighters & Fire Lieutenants) which calls for the following increases in the salaries and benefits? (Note: the above agreement is for the years 1999-2000, 2000-2001, and 2001-2002. The additional amounts are necessary to fund the cost items for the following years and are:)

Year	Estimated Increase
1999-2000	\$ 18,577 to cover increases in salaries and benefits (this amount includes estimated overtime costs)
2000-2001	\$ 9,020 to cover increases in salaries and benefits
2000-2002	\$ 9,345 to cover increase in salaries and benefits

and to raise and appropriate eighteen thousand five hundred seventy seven dollars (\$18,577) to cover the first year costs of the agreement. The Board discussed the fact that the wage increases were held to 3% per year but emphasized that the union had given up longevity pay as part of the agreement. Mr. Lagassa made the motion to recommend the article. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

The Board next discussed the petitioned warrant article for amending the telecommunications ordinance.

On petition of Robert J. and Jenifer H. Landman, and at least 25 or more registered voters of the Town of North Hampton to see if the town will vote to amend Article IV, Section 415, District Regulations of the Zoning Ordinance to read as follows: (additions are in bold letters, and words to be stricken have a line through them.)

415.3 Wireless Telecommunications Facilities District and Map

The Wireless Telecommunications Facility District shall be an overlay district consisting of all land within 1000 feet of the center of the median of Interstate 95 and all unrestricted Town owned lands within North Hampton. Historic sites are specifically excluded from this district **including, but not limited to, those areas wherein structures of historical significance are located: the 1844 Town Hall with its 1816 Paul Revere Bell, Town Offices (formerly the 1892 Town Library), Railroad Depot area, as well as North Hill, Little River, and Little Boar's Head where structures and sites dating from the early 1700's are located. Town buildings such as the Library, Fire, and Police Stations are in a historic area and thus this area (Town Center Complex) is excluded from this district.** This overlay district is shown on the Wireless Telecommunications Facilities District Map, which is adopted as an amendment to the North Hampton Zoning Map as amended.

415.6 Additional Requirements for Wireless Telecommunications Facilities

These requirements shall supersede any and all other applicable standards found elsewhere in Town ordinances or regulations that are less strict.

A. Setbacks and Separation

1. Towers must be set back a distance equal to 125% of the height of the tower from any off-site ~~residential~~ structure.

Mr. Lagassa was concerned about the vagueness of areas deemed historic such as the North Hill area, Little River and Little Boar's Head district. It was noted that there were houses in Little Boar's Head that had been built very recently. The lack of criteria that defined what was historic was a concern to Board members. Jenifer Landman, Heritage Commission member, commented that the North Hill area was fairly well

defined. Ms. Landman talked about the mission of the Heritage Commission as protecting, preserving and strengthening North Hampton's historic past. She noted the historic significance of the Town Hall and of other town structures and houses over 100 years old. Mr. Lagassa endorsed the idea of protecting historic places and preserving the Town's historical resources. The chief concerns with the language of the petitioned warrant article were the potential legal challenges over the vagueness of the boundaries. Mr. Lagassa made the motion not to recommend the article. Mr. Steiner seconded the motion. The vote was unanimous and so moved. The TA pointed out that the planning board was the body whose recommendation appeared on the Town Warrant.

Discussion of Winter Maintenance of Roads
Not officially accepted by the Town.

Ken Berry from Jones & Beach Engineering, representing Ridgemont LLC, asked whether the Board would conditionally accept the road for winter maintenance. A long discussion ensued regarding liability issues. The Board noted that the road was yet to be officially accepted and was technically a private road. Therefore, the responsibility for winter maintenance rested with the developer. Mr. Berry pointed out that previous practice in other subdivisions was for the Town to conditionally accept the road and perform winter maintenance. The Board pointed out that in so doing the Town accepted greater liability for maintaining "private roads." On the other hand, state statute governed liability on officially accepted Town roads. Mr. Hines stated that there were people living in Ridgemont and it was necessary to provide emergency services to those people and that life safety issues also raised some questions. The Board reviewed a set of road policies drafted by Town Counsel for the purposes of establishing a set procedure to officially accept Town roads. From a practical perspective Mr. Steiner noted that construction of the road had met all criteria and that the road now had a binder coat on it. Mr. Beach noted that it was preferable to lay the final coat on the road and do the shoulder work after all construction had been completed. The Board agreed it was a good idea. The Board determined to plow the subdivision and meet with Town Counsel to craft a road acceptance policy prior to their next meeting.

Selectmen Issues

Alternative Trash Hauler

The Board discussed the trash pick-up dilemma. The Town paid the tipping fee through the tax rate, but individual residents paid the costs of hauling. The consolidation of trash haulers had left the Town with only one provider, Waste Management who had subsequently raised their fees. This posed an equity problem. The hauling fee was the same whether a resident had one bag of trash, or many of trash. Due to the many complaints Waste Management had made folks aware of a senior citizen's fee. The Town had also looked into fostering more competition by having other haulers enter the market. MB Enterprises out of Exeter, was interested in serving the residents. While all he needed was a letter from the Town authorizing him to pick-up trash, MB Enterprises would be responsible for getting enough customers to be profitable. Mr. Strout explained that MB Enterprises was making an effort to secure customers in Town and that he was in touch with them. There was some concern on the Board that MB Enterprises may indeed go the way of the other smaller independents that had once serviced the Town, and that was being bought by Waste Management. The Board agreed that if MB could get enough customers, it would furnish the necessary letter.

RFQ Appraisal Letter

Mr. Lagassa briefed the Board on the recent mailing of request for qualifications for appraisers to look at the Hampton Water Works assets as authorized in last year's warrant article. Approximately 35 letters had been mailed seeking RFQ's from a list of the American Society of Appraisers.

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Other

Mr. Steiner made a proposal to construct a warrant article in the amount of \$3,500 for conducting subsurface soils analysis at the recycling center. He commented that at a future date it might be necessary to construct a transfer station and highway building. Part of these elements was in the Town's Master Plan. The test borings would be a preliminary step in determining the feasibility of using the site as a transfer station and highway facility. Mr. Lagassa made the motion to recommend the article. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

The Board also discussed an article to raise and appropriate the sum of four thousand dollars (\$4,000.00) for the purpose of establishing a Town Newsletter through the purchase of a large format printer (estimated cost 1,000.00), the remainder to be used to pay for postage. The Board discussed various requests they had received from citizens to establish better communications and provide more information about Town business. The creation of a newsletter was in response to those requests. Mr. Steiner made the motion to recommend the article. Mr. Lagassa seconded the motion. The vote was unanimous and so moved.

Questions & Comments

Lucille Ellingwood voiced her concern over vandalism to her house. She did not report it to the police, but felt it very unfortunate that such things were allowed to happen.

There being no further business to come before the Board the public meeting adjourned at approximately 9:35pm. Mr. Lagassa made the motion to convene in non-public session under RSA 91-A:3 II (a) to discuss a personnel issue and employee compensation. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

Respectfully,

Russell McAllister
Town Administrator