

Selectmen's Minutes
04 October 1999
7:00pm

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

The Selectmen reviewed the meeting minutes of September 13th. Mr. Hines made the motion to accept the regular minutes of September 13th. Mr. Steiner seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

Administration/Business

- a. Minutes - September 13th
- b. Payroll
- c. Manifest
- d. CDBG Grant draw down signatures
- e. NHH/SBAC Sub-recipient Agreement
- f. Drug and Alcohol Policy (necessary to be in compliance w/federal rules governing fed grants.)
- g. NRCS grant agreement / O&M agreement
- h. Cemetery Deeds - signatures required
- i. Intent to Cut - Ray & Barb Carye (Lovering & Walnut)
- j. Seabrook - Electricity Aggregator Interest
- k. Rockingham County Nursing data
- l. Coakley Minutes

The TA briefed the Board on the status of the sub-recipient agreement. The sub-recipient agreement documented the relationship between NHH and the Seacoast Business Alliance Corp. (SBAC) under the terms of the CDBG (community development block grant) the Town had received. The 290k grant was to establish a regional development corporation (the SBAC) that would serve the small business needs (gap financing, capital financing for expansion) for the 10-seacoast communities. The agreement documented reporting requirements and disbursement procedures of all grant funds.

The Board next reviewed a Drug and Alcohol policy. It was noted that the police, fire and highway departments had such policies in place, but the Town, as a whole did not. The TA explained that the 1.2million in federal grant funding for the Little River Salt Marsh required the Town to have such a policy in place as a condition of receiving the funding. The Board asked if the TA had drawn-up the policy. The TA reported that he had borrowed the policy from Dover. Mr. Steiner made the motion to adopt the Drug and Alcohol Policy. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board reviewed the National Resource Conservation Service (NRCS) grant agreement. The TA reported that additional funding had been received. In addition to funding for the replacement of the culvert under Appledore Avenue (\$34,625), there was now funding (\$55,150) for dredging the small channel from Appledore to the Little River proper. The agreement called for a 33% in kind match by the town for activities like use of highway dept. equipment, traffic control and the like. The agreement also called for the Town to provide culvert maintenance as well. It was hoped that this work could be completed this year. The hard work by the Conservation Commission to restore the salt marsh was noted. Mr. Steiner made the motion to accept the NRCS grant agreement. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board reviewed the Planning Board's recommendation to accept Cotton Farm Road as well as release of the construction bond associated with road. Mr. Steiner made the motion to accept Cotton Farm Lane as a Town road and to release the construction bond as well. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board next reviewed the contract for services for the PUC rate case. The service contract was for Dr. Silkman who was an expert in rate setting and whose services would be used to review HWW data. The Towns of Hampton and North Hampton were interveners in the PUC case and would share the costs of Dr. Silkman's services 75% / 25%. Mr. Lagassa expressed concern that a contract was so late in coming given the stage of the process. Mr. Fuller noted that the second round of data requests had begun and so far there had been approximately 250-260 questions. Mr. Landman noted that he had attended the public hearing at Winnicunet High School and reported that PUC Commissioner Brockaway suggested that Mr. Landman petition to intervene. Mr. Lagassa noted that the Board of Selectmen and the North Hampton Water Commissioners were interveners and that any questions Mr. Landman might have could go through either one of the Boards. Mr. Lagassa wondered what there was to be gained at this point by paying Dr. Silkman to review the data and interrogatories. Mr. Fuller noted that there were over 1,500 pages and 260 questions to review as well. Mr. Lagassa was sympathetic to Mr. Fuller's concerns. Mr. Lagassa suggested that he contact the town attorney and check on the status of Silkman's services and their legal necessity. Mr. Lagassa next asked for the permission of his fellow Board members to sign the contract on their behalf should his discussion with the town attorney suggest that it was both prudent and necessary to contract for Dr. Silkman's services. Mr. Steiner made the motion to allow Mr. Lagassa to proceed in the aforementioned manner. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board reviewed a request by the Seacoast Visiting Nurses to file their tax-exempt filing late, the deadline for such filing was April 14th. The late filing would allow the property owned by the Visiting Nurses to remain tax-exempt. Mr. Steiner made the motion to grant the Visiting Nurses late filing status. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board next reviewed an abatement request by Joseph Fitzgerald. Mr. Fitzgerald explained that he had filed an abatement application with the Town for both 1997 and 1998 taxes. Mr. Fitzgerald acknowledged that the 1997 abatement had been denied and subsequently he did not appeal that decision. He noted that he had submitted an abatement application for 1998, but that application had been denied on the basis of late filing. The TA explained that the application had been received by the office and stamped by Janet as received on June 23rd. The filing deadline was March 1st and the town assessor's recommendation to deny the application was based on late filing. The TA noted that the town assessor had since met with Mr. Fitzgerald and reduced his assessment, but that the reduction would not be reflected until the next tax year. Mr. Fitzgerald asked that his application be accepted and urged the Board to review with Howard Promer (town assessor) his conversation with Mr. Promer in January of 1999. Mr. Fitzgerald believed that Mr. Promer was in possession of the paperwork at that time. Mr. Lagassa agreed to check with Mr. Promer to see whether there were any extenuating circumstances.

North Road Concerns

Joseph Fitzgerald

Mr. Fitzgerald expressed concern with the alteration of the "Y" type intersection to a "T" type configured intersection on North and Post Roads. Mr. Fitzgerald expressed unhappiness with the present configuration. He was concerned with traffic traveling on the wrong side of North Road. Mr. Fitzgerald believed any such changes should be more public in nature. The changed intersections should be brought up to country standards and not look like something from Roxbury. Mr. Lagassa noted that there seemed to be two issues. The first issue was the poor paving job on one side of North Road. The second issue of the intersections was a separate issue. Mr. Strout noted that there was a two-year road guarantee whereby a provision for

two years worth of maintenance following completion of road repairs. Mr. Fitzgerald expressed his concern regarding speeders along North Road. Mr. Steiner noted that road conditions had improved since the shimming was completed. Mr. Hines suggested that if the road surface was dangerous then it should be repaired as safety was the most important issue. Mr. Steiner commented that the Town had the right to reject the final work product. The Board directed the TA to draft a letter for their review, to the HWW noting the Board's concerns about road safety. Mr. Fuller suggested that the contractor use heavier equipment when paving the road to insure adequate compaction of the macadam. John Cafarella voiced concern regarding the ability of his tractor-trailer to negotiate the intersection at North & Post Roads. Mrs. Cafarella was concerned about the steel I-beam posts used along the intersection. It was believed to be a road hazard during an accident. Mrs. Cafarella suggested that the I-beam posts be taken out and replaced with the thinner metal posts fitted with reflectors as a better means of delineating the roadway. Mr. Cafarella also suggested that the posts be moved back to provide a wider turning radius for tractor-trailers utilizing the roadway. Another member of the audience asked why the intersection was changed on Cherry and North Roads. Mr. Strout replied that it was convenient to do so at the same time that the road was being dug up to lay water lines. Mr. Lagassa noted that it was a policy recommended by the road safety committee to upgrade "Y" type intersections to "T" type intersections in Town. Mr. Fitzgerald reiterated his belief that the planning board should review proposed road changes and get public input. Mr. Lagassa noted that any future changes to roads will receive more public input.

Fire Department Budget Review

The Board next reviewed the Fire Department budget and associated report that provided written explanation of all line items. The overall percentage change was 3%. The total proposed budget for FY 00-01 was 676,474, which represents a total dollar increase of 20,168 from FY 99-00. There is also an additional one-time charge of approximately \$11,200 to cover the separation costs associated with Lt. Colcord's retirement in 2001. These costs include all accrued vacation and sick pay as per contract. Like many other smaller towns North Hampton is on a "pay as you go" plan for these kinds of liabilities. The Board asked a number of questions concerning some items and delayed approval of the budget pending review of the budget as a whole.

The TA next explained an abatement issue connected with a mobile home. Apparently during a sale of the mobile home by People's Bank, a UCC was filed rather than a deed. The problem was that without a deed the tax collector sent the tax bill to the last owner of record. That owner of record was People's Bank. Upon receiving the tax bill, People's threw it out. Consequently, the property went to lien. During the interim the new owner of property was paying his mortgage with the assumption that part of his payment was covering taxes. It was not. Therefore, the property owner was willing to pay the taxes, but was interested in having the interest abated due to the extenuating circumstances. The Board agreed. Mr. Steiner made the motion to abate the interest. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The Board reviewed correspondence from the Town of Seabrook regarding North Hampton's interest in exploring the possibility of purchasing electricity jointly under deregulation. The Board directed the TA to research the details, contact Russ Bailey (Town Manager) in Seabrook, and begin preliminary discussions.

Little River Salt Marsh Project Update

The TA reiterated the previous report regarding the additional funding that was made available for the project and the necessity of the adoption of the Drug and Alcohol Policy.

Selectmen's Concerns

Mr. Steiner mentioned the possible appointment of Cathy Williams to the planning board as an alternate member. Mr. Steiner noted that she had shown interest and was a real estate agent. Mr. Hines wondered if

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her position as a real estate agent represented a conflict of interest. The issue was tabled pending further review.

Questions & Comments

Mr. Landman asked about the remaining vehicles that once belonged to Mel's truck sales still lingering about the south end of Route 1. The TA mentioned that the Building Inspector was aware of the problem and was working on it. Mrs. Landman asked about the availability of the Town Office space for the Heritage Commission should the Town Offices move above the Police Station. The Board noted that it was a possibility. Mr. Lagassa commented that there will be a lot of interest in the space should the offices move.

There being no further business to come before the Board the public meeting adjourned at approximately 9:35pm

Respectfully,

Russell McAllister
Town Administrator