

The Chair, Jenifer Landman, called the scheduled public session to order at 1:00pm. Those present included Lloyd Sullivan, Allen Hines (selectmen) and Russell McAllister, (Town Administrator).

Dennis Mires - The Architects

Municipal Complex / Elevator Update

Mr. Mires provided a brief synopsis of the issue to date. He noted that the Town had approved \$140,000 in funding for providing handicap access to the second floor of the Police Station where part of the new Town Offices are located. Mr. Mires drew up bid specifications for an elevator and construction related activities associated with the installation. Five pre-qualified bidders attended the bid meeting and two bids were subsequently received for \$149,460 and \$137,149 respectively. The Board tabled the bids feeling they were high. Mr. Sullivan believed that the bid amounts were way out of line and that the whole issue of the elevator should be reviewed. Ms. Landman asked if the installation of a LULA rather than an elevator would save money. Mr. Mires believed that installation of a LULA might save from \$6,000 to \$7,000 and that maintenance costs would be similar. A member of the audience asked about the elevator specifications and differences between it and a LULA. Mr. Mires explained that the elevator was a hole less elevator with a 2,500-pound load capacity with enough space to accommodate 6-7 people, and allow room enough for a wheelchair to maneuver within the elevator cab. The LULA had a 1,500-pound load capacity and enough space for 2-3 people. Wheelchairs could not maneuver within the cab. Discussion ensued regarding ADA requirements. Mr. Sullivan noted that the building was constructed prior to 1991 and therefore exempt from ADA requirements. Particularly because the cost of the elevator relative to the cost of the renovations was greater the Town did not need to install an elevator. Mr. Mires noted that the renovations created a new public use where no public use existed before and therefore an elevator was needed. Mr. Hines asked if the voters would be satisfied if the elevator were not installed? Mr. Hines also asked why Mr. Sullivan had changed his mind on installing an elevator? More discussion ensued with Ms. Landman suggesting Mr. Mires check with Maureen Stimson at the State for a determination on the elevator issue. The Board next inquired about the space plan for the old Town Offices. The Board discussed removing the partition wall separating the Town Clerks office from the former staff office. Mr. Hines made the motion to direct the TA to hire contractors to remove the walls and install new carpeting. Mr. Sullivan seconded the motion. The vote was unanimous and so moved. The Board next discussed the feasibility of moving the current highway shed to the Cherry Road site. Mr. Mires suggested that a topographic survey be completed. Mr. Sullivan made the motion to have a topographic study done. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Mosquito Spray Program Update

Michael Morrison - Municipal Pest Management

Mr. Morrison addressed those in attendance by noting that Municipal Pest Management was on track to larvicide and spray. Mr. Morrison explained that catch basin program had gone very well this year. Habitat areas associated with West Nile Virus had been well mapped during this year and last year. Mr. Morrison explained that the majority of mosquitoes now plaguing the inhabitants of North Hampton originated from the Salt Marsh. While the restoration project was extremely successful at flood mitigation and restoration, Mr. Morrison noted that it proved a fertile site for mosquito breeding. Mr. Morrison explained that the Marsh floods every astronomical high tide (approximately once a month) leaving pools of water behind where mosquitoes lay their eggs. These small pools provide excellent breeding areas and produce very large hatches of mosquitoes that can overwhelm an area. Mr. Morrison noted that he had surveyed the Marsh in July after the high tide to determine where the pools were so that he could get a plan ready for larviciding the Marsh after the August high tide. In addition Mr. Morrison noted that he had developed a truck-spraying program to coincide with the next mosquito hatching on August 21-22. It was suggested to post notices of the spraying program to alert the public and give time for those individuals who did not want to have their property sprayed to contact the Town Offices.

Final Public Hearing for Anti-Scavenging Ordinance

Ms. Landman read the anti scavenging ordinance and solicited comments from the audience.

“Any recyclable material appropriately placed at the curb / roadside for collection by the Town contracted recycling vendor, or delivered to the Town recycling drop-off center, becomes the property of the Town and no person not permitted by the Town shall collect such material except as specifically authorized by the Town. The Town shall levy a fine up to \$250 dollars for any unauthorized individual caught scavenging under the terms of this ordinance.”

There being no comments from the audience Mr. Sullivan made the motion to adopt the anti-scavenging ordinance. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Selectmen Issues

Vehicle Bids

The Board opened and reviewed the bids for the FD's Forestry Truck (1987 Dodge) Pump Truck (1966), and the PD's old cruiser (1996 Crown Victoria). Bid results are listed below.

Vendor	1987 Dodge	1996 Crown Vic	1966 Pump Truck
Fleetmaster	\$851	\$3,151	
Jim Jones			\$4,200
James Ritzo	\$851		
Larry Dier	\$3,375		
Cynthia Van Nest	\$877	\$2,376	
John Wood	\$865		\$5,333
Tri-State Auto	\$783	\$2,663	\$1,363
Steve's Truck & Auto			\$1,252
Richard Robinson			\$2,600
Police Card		\$2,200	
Grace Quality Cars		\$2,121	

Mr. Sullivan made the motion to award the respective bids to the highest bidder. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Other.... Town Clerk Software

Mr. Sullivan noted that the CBT committee had met earlier that day and approved the purchase of the windows based Clerks package. Mr. Sullivan made the motion to authorize the expenditure of \$3,700 for the purchase of the software. Ms. Landman seconded the motion. Mr. Hines questioned whether the package would integrate with the future purchase of a municipal software package. Some discussion ensued. The question was called. The vote was unanimous and so moved.

Other.... Route 1 / North Road intersection

Mr. Landman spoke to the issue of the recently approved mixed recreational use at the North Road Golf Course by the planning board. Mr. Landman noted that the NHDOT rated the intersection as a Class F, which is the most dangerous rating. Mr. Landman noted that the planning board should have utilized their own traffic engineer to determine the number of cars traveling through the intersection. Mr. Landman noted that mixed use recreational facilities generate more traffic than what was listed in the traffic study submitted by the applicant. Mr. Hines noted that the planning board made their determination and voted accordingly. Discussion ensued regarding possible alternatives for improving the intersection. Mr. Landman suggested that if the Town were willing to move ahead and appropriate one third of the cost of

improving the intersection, then the NHDOT would move the intersection work up on the schedule. Mr. Landman also noted that the engineering firm of Fay, Spofford & Thorndike (FST) would undertake the traffic study to determine the best method of realignment of the intersection. The study costs would be a lump sum payment of \$10,000. Mr. Hines noted that no money existed in the budget for the study. Discussion ensued regarding the crafting of a warrant article for the engineering study and the construction costs associated with the realignment of the intersection.

Other.... Intersection of Route 1 & Atlantic Avenue

Ms. Landman noted that the turning lanes at the above intersection were problematic because traffic traveling East to West across Route 1 used the same lane as traffic turning South at the intersection. This caused quite a back up whereas the right lane was a turn right (North on Route 1) only.

Other.... Reimbursement of legal fees – Judy Day

Ms. Landman broached the issue of reimbursement by noting that there had been much discussion about when and how the Town and Board of Selectmen support their elected officials and appointed officials when they are faced with a legal issue relating to their positions. Ms. Landman noted Ms. Judy Day, was just such a case in point. Ms. Landman explained that a year ago Ms. Day hired legal representation on her own because she was not advised that the Town had a legal representation policy (which provides legal assistance), nor was she allowed an hour of the Town Attorney's time. As a result she incurred costs, which might have been avoided, had she known her rights. Ms. Day did ask for reimbursement of her legal fees from the previous BoS, but it never came to a vote. The issue, for which she was charged, never went to court. Ms. Landman described the issue presently before the Board was the lack of procedural guide to provide volunteers when such an issue arose. Ms. Landman made the motion to reimburse Judy Day up to \$5,000 in legal expenses incurred in the matter and to have Mr. Hines develop a procedural guide. Much discussion ensued regarding the pros and cons of the motion. Mr. Hines said that he would be willing to reimburse Ms. Day, if for nothing else, than to bring closure to the issue. Mr. Hines made the motion to amend Ms. Landman's motion to include a provision for a legal release (hold harmless agreement) of future legal action and to be drafted by the Town attorney. Ms. Landman seconded the motion. Mr. Sullivan disagreed. He noted that Ms. Day was not acting in her official capacity at the time. Mr. Sullivan guaranteed that other people would come forward with similar legal reimbursement claims if the Board agreed to reimburse Ms. Day for her legal fees. The Board agreed that the Police Department was not to blame for the incident. Mr. Hines noted the necessity of protecting town volunteers from scurrilous legal attacks. The question was called. Ms. Landman and Mr. Hines voting to approve the reimbursement of legal fees contingent upon a signed legal release from Ms. Day. Mr. Sullivan voting against. The motion carried and so moved.

Other... Water Quality Monitoring

Mr. Corey Landry (Deputy Fire Chief & Health Officer) briefed the Board on the scheduled water testing for *e coli*. It was noted that many of the failed septic systems had been identified and repaired since last year. Mr. Landry also noted that the electricians would be using the three-phase power from the police station to run the air exchanger system in the fire department.

Mr. Sullivan made the motion to approve the meeting minutes of July 22nd and non-public minutes of August 2nd. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Selectmen's Minutes
12 August 2002
7:00pm

The selectmen reviewed correspondence and/or signed:

Administration/Business

- a. Minutes - July 22nd, August 2nd (non-public) 2002
- b. Payroll
- c. Manifest
- d. Elderly Exemption – Shirley Carter
- e. Veterans Exemption – Alan McKay
- f. **RPC – Contract (Circuit Rider)**

The TA asked if the Board wished to renew the RPC contracted services for the Circuit Rider. Mr. Sullivan made the motion to approve the TA of executing the documents associated with the contract. Mr. Hines seconded the motion. The vote was unanimous and so moved.

- g. NHDOT – Toll Plaza Expansion
- h. Nursing Home – Admissions Pending
- i. 53B – Minutes
- j. Coalition for Community Media
- k. Letter of Appreciation for “Brenda DeFelice”
- l. PSNH – 3 phase power cost for Cherry Road

There being no further business to come before the Board Mr. Hines made a motion to adjourn. Mr. Sullivan seconded the motion. The vote was unanimous and so moved. The public meeting adjourned at approximately 9:30pm. Mr. Hines made the motion to enter into non-public session under RSA 91-A:3 II (a) to discuss personnel issues, (e) and discuss legal issues.. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

Respectfully,

Russell McAllister
Town Administrator