

Selectmen's Meeting
March 25, 2003
Approved 4/28/03

I. Call to Order:

The Chair, Allen Hines, called the scheduled public session to order at 2:00 p.m. Present were Lloyd Sullivan, Jenifer Landman (Selectmen), Michael Pardue (Town Administrator) and NormaJean Fowler (Recording Secretary). In the audience were Chief of Police Brian Page, Road Agent Robert Strout, and Building Inspector Richard Mabey.

Mr. Hines announced to the audience the new format for Board of Selectmen meetings. He informed the audience that only issues listed on the official Agenda would be discussed and that the question/comment portion of the meeting would be moved to the last item and that only issues raised on the Agenda items would be entertained. He told the audience that there would be no public debate conducted and that the Board of Selectmen meetings were not held to be a public hearing forum.

II. Selectmen's Items:

Agenda Item A. Review of Assessment Certification/Processing Vision Contract

Mr. Pardue discussed the Vision Appraisal contract. He stated that the contract is for an Analytical Revaluation Program of all Real Property in Town and that this process is designed to aid the Town in meeting the State assessment certification requirements. The purpose of the contract is to analyze properties and values and is required by the state. He informed the BoS that \$75,000.00 was approved in the budget for the assessing services and the Vision contract is for \$72,800. He stated that the process would commence April 2003 with process completion slated for October 2003.

Ms. Landman questioned the availability of the funds. She stated that the funds could not be released until July 2003 and asked that the contractor be informed and provides his consent to wait until then for the funds to be released. Mr. Pardue advised this has already been done and that the contractor has agreed to accept first payment after 7/1/03.

Mr. Sullivan made a motion to accept the contract. Mr. Hines seconded and asked for discussion. Ms. Landman suggested the contract be reviewed by legal counsel. Mr. Sullivan revised his motion to approve the contract pending legal review and approval. Ms. Landman seconded the revised motion.

VOTED: Unanimous to approve the contract and forward to legal counsel for review. 3/0

Agenda Item B. Review and Processing of Municipal Resources Professional Services Contract for Assessing Support

Mr. Pardue discussed the purpose of the contract to provide for assessment of 750 properties annually. It is a five year program with all properties to be assessed in four years. The estimated cost of this service is approximately \$20,000 for the first year. The Town has budgeted \$30,000 per year.

Mr. Sullivan stated that it was less costly to contract this job out rather than hire another person for the Assessing Department. Mr. Pardue agreed that it was more cost effective.

Ms. Landman stated that this procedure was required because of the statewide property tax and asked that legal counsel review the contract. She asked if there were any “escape clauses” in the contract and Mr. Pardue stated that it was a four year provisional contract that did provide for cancellation in the contract.

Mr. Hines made a motion to accept the contract and forward to legal counsel for review. Ms. Landman seconded the motion.

VOTED: Unanimous to accept the contract and forward to legal counsel for review.
3/0

Agenda Item C. Review Draft Plans of Proposed Highway/Salt Shed.

Mr. Mabey stated that he had reviewed the available parcels today and they were not feasible for construction of the highway/salt shed because of wetlands (South Road property donated by Joe Fitzgerald).

Ms. Landman questioned if there was other conservation land available that would be more feasible to the building.

Mr. Hines stated that the Warrant Article was specific. The property behind Kohlhasse and Little River Road were considered. He stated that we needed to go forward on this and focus on the municipal complex. He stated that the BoS had voted and approved this earlier.

Ms. Landman discussed the concerns of the abutters and stated that they were upset that there was no public hearing on this matter. She stated that this was originally three separate articles that had been combined into one and that according to the RSA there should have been public hearings prior to deliberative session. She feels that this should be reviewed by town counsel to determine if a hearing was needed.

Mr. Sullivan stated that the DRA had formulated the combined article and questioned Ms. Landman’s attempt to delay this item. Mr. Hines stated that the BoS would have this reviewed by counsel and get his recommendation.

Mr. Sullivan made a motion to proceed forward on Cherry Road and to have Mr. Pardue review this with counsel regarding Ms. Landman's concerns. Mr. Hines seconded the motion. Ms. Landman asked that this be reviewed by counsel before expending funds. She stated that she was not against the highway department and the shed but questioned if it could be constructed on another site.

VOTED: To move forward on the Highway/Salt Shed and have it reviewed by counsel. 2/1 Ms. Landman voted against.

Agenda Item D. Health Insurance Discussion: Elected/Appointed Officials

Mr. Pardue discussed Ms. Landman's previous request that he look into the enrollment procedures/classification requirements. He stated that the requirements were that all of the people in a group be offered insurance and that a percentage of all people that were not covered by other plans must participate. He stated that there would be no cost to the Town and that all those who chose to participate would be responsible for the premiums.

Mr. Sullivan stated that he saw no problem with this as long as there was a proviso regarding collection of premiums. He stated that it was an added incentive for obtaining volunteers to committees and boards.

Ms. Landman made a motion to offer health insurance to all board members with the understanding that the cost of participation would be borne by those enrolling. Mr. Sullivan seconded the motion.

VOTED: Unanimous to offer health insurance to board members. 3/0

Agenda Item E. Mosquito Control Project Update

Mr. Pardue mentioned that Mike Morrison dropped off the contract for the BoS to review regarding the mosquito control contract and the payment schedule. He reminded the Board that funding for this project would not be available until July 1st. Mr. Pardue stated that the work was to be started on April 1 and continue until October 31.

Ms. Landman questioned if the contractor would be willing to perform the work knowing that payment would not be made until July. Mr. Pardue stated that he had a call into Mr. Morrison to determine if he, Morrison, would agree to commence the project with the understanding that funding allocation would be available 7/1/03. Mr. Pardue advised he is awaiting a reply from Mr. Morrison. Mr. Pardue suggested tabling the issue until the next meeting. Ms. Landman was concerned that the next meeting was not being held until April 14th and she was concerned that they would miss the "deadline" to start the spraying/larviciding. She stated that she would be willing to sign the contract with the proviso that the contractor wait for payment until July. Mr. Pardue stated that he would ask Mr. Morrison to amend the payment schedule.

Ms. Landman made a motion to sign the contract with the proviso that the payment schedule be amended to reflect first payment be on or after 7/1/03. Mr. Sullivan seconded the motion.

VOTED: Unanimous to sign the contract with the proviso that the payment schedule be amended. 3/0

Agenda Item F. Appointments to Boards & Commissions

Mr. Sullivan announced that Dr. Arena was resigning his position with the Coalition against the Statewide Property Tax. He stated that he was sorry to see Dr. Arena go and questioned if we wanted to continue our participation in this coalition. Mr. Hines stated that he felt we should no longer be involved in this coalition. Mr. Sullivan agreed with him. Ms. Landman agreed that the coalition was not as effective as a grassroots movement of individuals testifying against the statewide property tax.

Mr. Sullivan stated that there was no motion needed because the BoS was not going to replace Dr. Arena.

Mr. Sullivan made a motion to disband the Cable Broadband Telecommunications Committee now that the contract is in negotiation. Mr. Hines seconded the motion.

Ms. Landman stated that she felt it should not be disbanded because Robert Landman still is getting a lot of calls from consumers regarding issues and that he has been able to get most of them resolved because of his relationship with the cable company. She stated that having the committee would result in the BoS not receiving calls from consumers to address complaints.

Mr. Hines discussed the committee's original purpose of dealing with the cable television issue only and how it had been expanded to include the computer systems and email systems. He stated that the board should get information and provide it to the BoS. He never envisioned any one individual dealing with the public and stated that all committee work should be done with the BoS. Mr. Sullivan agreed that the goals of the committee had been met and that the new contract proposal was a good one. Ms. Landman suggested that the receptionist in the Town Hall be given instructions on where to direct consumer complaints.

Mr. Hines made a motion to disband the Cable Broadband Telecommunications Committee. Mr. Sullivan seconded the motion.

VOTED: To disband the Cable Broadband Telecommunications Committee. 2/1
Ms. Landman voted against.

Mr. Sullivan discussed Dick Wollmar being made an alternate to the Zoning Board and John Simmons replacing him as a regular member.

Ms. Landman motioned that Jim Kierstead be appointed as an alternate. She stated that he has been preparing for this and that he has attended all of the meetings. She felt that this showed Mr. Kierstead's dedication and that positions should be promoted from within.

There was no second to this motion.

Mr. Sullivan made a motion to appoint John Simmons as a member of the Zoning Board. Mr. Hines seconded.

VOTED: To appoint John Simmons to the Zoning Board and to appoint Dick Wollmar as an alternate. 2/1. Ms. Landman voted against.

Mr. Sullivan discussed the Rockingham Planning Commission positions which expire on May 3. Ms. Landman stated that the Planning Board must bring their nominations to the BoS. Mr. Hines stated that the BoS makes appointments based on our needs. Ms. Landman countered that it was her opinion that this is set by law and that we should accept the recommendations of the Planning Board. Mr. Hines stated that he wants one member selected by the BoS to sit on the Rockingham Planning Commission.

Ms. Landman stated that this appears to be an effort to oust Robert Landman from the Rockingham Planning Commission, where he is slated to become vice-chair. She stated that Mr. Landman has saved a great deal of money for the Town

Mr. Hines made a motion to appoint Chuck Gordon to the Rockingham Planning Commission. Mr. Sullivan seconded the motion.

Ms. Landman stated that it is unfortunate that the BoS was not taking advantage of Mr. Landman on the commission. She stated that he had taken every course offered and attended all the meetings. She stated that it was obvious that there had been discussion outside of the meeting regarding this matter and that that was against the law. Mr. Sullivan stated that this allegation was untrue and that Ms. Landman must either prove her allegation or leave it alone. Mr. Hines stated that Mr. Landman did not have the confidence of the majority of the BoS.

Mr. Hines made a motion to appoint Chuck Gordon to take all of Mr. Landman's appointed positions as of May 3. Mr. Sullivan seconded the motion.

VOTED: To appoint Chuck Gordon to replace Robert Landman in all of Mr. Landman's appointed positions as of May 3. 2/1 Ms. Landman voted against.

Ms. Landman made a motion to appoint Robert Landman to the CCCTV Committee. There was no second to this motion.

Mr. Hines made a motion to reappoint all current members to the Heritage Committee. Mr. Sullivan seconded the motion.

VOTED: Unanimous to reappoint all members to the Heritage Committee. 3/0
Jane Palmer, Three-year term ending 2006
Penelope Kennedy, One-year term alternate ending 2004
Barbara Hobby, One-year alternate ending 2004

Mr. Hines made a motion to appoint Chris Ganotis to the Conservation Commission. Mr. Sullivan seconded the motion.

VOTED: Unanimous to appoint Chris Ganotis to the Conservation Commission.
3/0

Mr. Hines made a motion to reappoint all members of the Bandstand Committee. Mr. Sullivan seconded the motion.

VOTED: Unanimous to reappoint all current members of the Bandstand Committee.
3/0

Agenda Item G. Questions and Comments Related to Above Topics

Mr. Arthur Brady spoke regarding the highway/salt shed. He is an abutter on the Cherry Road property and the wanted to thank Ms. Landman for speaking up on this issue. He stated that he felt that the project was illegal because of the lack of public hearings.

Mr. Eugene Johnson agreed with Mr. Brady and applauded Ms. Landman for sitting on the BoS. He stated that he thought that the board was showing hostility towards Ms. Landman and stated that business should be conducted in a more cooperative environment.

Mr. Henry Fuller questioned why we were still moving forward on the highway/salt shed issue. He stated that there was no notice in the newspapers and that there was a relevant RSA regarding the bond. Mr. Fuller informed the BoS that he would be seeking an injunction if they moved forward on this issue.

Mr. Hines stated that the BoS cannot deal with legal issues at this meeting.

Ms. Laurel Poole stated that she was also an abutter to this project and she questioned why they were not notified regarding this issue.

Mr. Hines stated that two years ago it was decided that the Town needed a new municipal complex. It was decided that the best way to go was to get an architect. The architect created the Master Plan, which included finishing off the upstairs of Town Hall, building a new garage and salt shed and removal of the existing buildings. The Warrant article regarding the installation of the elevator was supported by the Town and that the next part of the Master Plan was to tear down the existing building and build a new complex. He stated that this was not a transfer station as Ms. Landman and Mr. Landman wanted.

He stated that by building this highway/salt shed the Town could forestall anything worse going in on that property.

Ms. Landman discussed the possibility of the transfer station going in on land donated. She thought that the transfer station was not intended to be a dump.

Mr. Hines informed Ms. Landman that the issue was not for her to respond to.

Ms. Landman stated that as of December 9 the three projects were combined together. To raise the building behind and take care of the environmental problems. Mr. Sullivan stated that at the time of the bond issue coming up the Town attorney didn't feel that a hearing was needed. He stated that if a hearing was needed the BoS would have to have a vote. He stated that we were not "boxed in".

Mr. Larry Miller stated that the Budget Committee discussed these issues in the course of its daily business and recommended to the BoS 7-2 on the bond issue. He stated that he was not aware if the BoS was complying with the law. He stated that the voters had spoken in this issue. He also spoke of the tension between the BoS members and stated that this kind of behavior was not needed and that the members should be civil to each other. He also questioned the right of the public to the minutes taken after the public session was adjourned.

Mr. Hines stated that the public has the right to speak, write letters, attend public hearings and vote but that any questions to the BoS should be related to the agenda items. He stated that the Non-Public Session was to discuss personnel/legal issues and that no votes were taken in this session. It was therefore not part of the public record.

Ms. Judy Day questioned notification from the BoS regarding Cherry Road project. She also stated that a study would help to open the process and discuss alternatives.

Mr. Henry Mixter spoke of the proposal from the Rockingham County Planning Commission for \$3,200.00 to participate in the aerial digital photography of North Hampton. He felt it would be beneficial in helping to plan for future development. He stated that the Conservation Commission would be participating and that the Rockingham County Planning Commission needed to know if North Hampton would be participating by April 1. Henry Mixter stated that the last aerial photography done in the area was 20 years ago and that it should be done every 10 years.

Mr. Hines stated that this was not on the Agenda for this meeting and asked if the BoS would agree to amend the Agenda and discuss this issue.

Ms. Landman stated that this proposal was brought before the BoS by Bob Landman a while ago and that Mr. Sullivan was against the proposal because of violation of privacy issues. Mr. Sullivan stated that the Rockingham Planning Commission was doing this and he didn't see the need for us to participate. He asked what the photographs would be utilized for. Mr. Mixter stated that they were used in the Little River Study. Mr. Pardue

stated that they could be utilized for the Planning Board but that he felt there were both benefits and risks in the process. Mr. Sullivan asked where they would be stored and Henry informed him that they would be on computer disk and kept in the Town offices. Henry stated that he was just informing the BoS of the Conservation Commission's intent to participate in this program. Mr. Hines stated that the BoS had to vote on this issue.

Ms. Landman made a motion to approve the Conservation Commission request for \$3200 to participate in the aerial photography study. Mr. Hines seconded.

VOTED: To approve the Conservation Commission's participation in the aerial photography study. 2/1 Mr. Sullivan voted against.

Ms. Allison Robie questioned if this was all part of the public record. Mr. Sullivan stated that it was.

Ms. Landman requested that they discuss an issue that was not on the Agenda but that was "time sensitive".

Mr. Sullivan stated that they must address only issues on the Agenda.

III. Administration/Business:

Agenda Item A. Town Administrator's Report

Mr. Pardue stated that the staff was functioning well, the kiosk was all set up so that visitors could access the website and that the website was moving along.

Mr. Sullivan stated that we need a procedure on how to get things on the Agenda and posting it on the website. He was opposed to the category of "other" on the Agenda.

Ms. Landman stated that the Chair was "picking and choosing of other issues". She discussed the Walnut Road and Post Road repaving. The BoS had sent a letter stating that the roads were to be double striped with no passing zones. She asked that this be added to the Agenda for the next BoS meeting.

Mr. Sullivan made a motion to add this to the Agenda for the next meeting. Mr. Hines seconded the motion. Mr. Pardue said that he would add it to the Agenda as Post Road Striping.

Ms. Landman also requested that the issue of the town office carpet be added to the next BoS Agenda. She stated that she would be out of town for the next scheduled meeting and asked if it could be rescheduled.

Mr. Sullivan stated that there had been complaints about the BoS meetings being rescheduled and that he felt there was a need to get on a regular schedule.

Ms. Landman also brought up the Comcast contract. Mr. Pardue stated that the counter proposal had gone out and that it was in transition. Mr. Hines stated that the BoS was waiting for the response from Comcast.

Agenda Item B. Approval of Minutes.

It was voted to approve the Minutes of the meeting from March 10, 2003.

VOTED: Unanimous to accept Minutes. 3-0

It was voted to approve the Minutes of the meeting from March 17, 2003.

VOTED: Unanimous to accept Minutes. 3-0

It was voted to approve the Minutes of the meeting from March 20, 2003.

VOTED: Unanimous to accept Minutes. 3-0

Agenda Item C. Payroll.

Payroll was reviewed and signed off on.

Agenda Item D. Manifest.

Manifest was reviewed and signed off on.

Agenda Item E. Abatements.

None.

Agenda Item F. Exemptions- Veterans/Elderly (if any)

One Veteran's Exemption was presented and approved.

IV. Temporary Adjournment to Non-Public Session:

Mr. Sullivan made the motion to temporarily adjourn the open session for the purpose of moving into Non-Public Session under RSA 91-A:3 II. Mr. Hines seconded the motion. The vote was unanimous and so moved. Open session was temporarily adjourned at 4.00 Recording Secretary (Ms. Fowler) left the room. Mr. Pardue assumed the duty of recording minutes.

Respectfully submitted

NormaJean Fowler
Recording Secretary

Reconvening of Public Meeting Session

At 4:33 p.m., the Board of Selectmen re-entered open session.

Mr. Sullivan made a motion to authorize Chief of Police Page to take the necessary steps to enforce all provisions within the pre-employment contract between the Town of North Hampton and Mr. David Pridham. Ms. Landman seconded the motion. The vote was unanimous and so moved.

Mr. Sullivan made a motion to authorize Chief Page to restructure the police department to allow for a Lieutenant and two (2) Sergeants. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Mr. Sullivan made a motion to adjourn the meeting. Ms. Landman seconded the motion. The vote was unanimous and so moved. Meeting adjourned at 4:40 p.m.

Respectfully Submitted,

Michael Pardue
Town Administrator