

Board of Selectmen  
Minutes of 6/23/03

I. Call to Order.

The Chair, Allen Hines at 7 p.m, called the meeting to order. There were present Lloyd Sullivan and Jenifer Landman, Selectmen, Michael Pardue, Town Administrator and NormaJean Fowler, Recording Secretary.

II. Selectmen Items

A. Public Hearing- Discretionary Preservation Easements for Barns

Mr. Howard Promer presented a proposal that the BoS grant Preservation Easements for the barns owned by the following and located at:

Marion T. Buffington  
61 Woodland Road

George & Adella Chauncey  
Nellie Dube  
28 Hobbs Road

John & Michele Coughlin  
79 South Road.

He stated that the purpose of the easement was to assist owners in maintaining the barns and keeping them in good repair. If the easements were granted then the law required the owners to maintain the barns and keep them in good repair. He also explained that once granted the easement was good for ten (10) years and had to be requested at the end of the ten year period.

Ms. Landman questioned what effect sale of the property would have on the easements and Mr. Promer stated that the easements were transferable in the event of a sale.

Mr. Hines asked if the owners were present and if they wished to speak. All owners were present.

Ms. Buffington stated that she had bought the house in 1952 and at that time it was over 100 years old, but that she hadn't done any research. Ms. Landman suggested she speak to Priscilla Leavitt to research the house and property.

Dr. Arena stated that he felt this was a great way of making the town something special.

Mr. George Chauncey informed the BoS that his barn was currently undergoing restoration.

Mr. Hines made a motion to close the public hearing and Ms. Landman seconded the motion. The public hearing was closed so that the BoS could vote on this matter.

Ms. Landman made a motion to grant the Preservation Easements for all three properties. Mr. Sullivan seconded the motion.

VOTED: To grant Discretionary Preservation Easements for barns to the following owners; Marion T. Buffington, 61 Woodland Road; George & Adella Chauncey, 28 Hobbs Road; and John & Michele Coughlin, 79 South Road. 3-0

#### B. Ridgemont Home Owner's Association- Boutilier Lane Edge Markings

Mr. Pardue read from a report from Mr. Strout regarding the cost analysis of fog lines versus delineated posts. According to Mr. Strout's report the cost for 4" fog line painting is \$283.00 and the cost for the post markers would be \$378.00 without labor. Mr. Strout felt that the flat line fog tape would not be the most effective method of marking the road and that if the Association decided to go ahead with the fog line tape that they be barred from coming back for more funds at a later date.

Mr. Arcidicono, speaking on behalf of the Association, questioned if the placement of boulders along the side of the road would be feasible. He stated that the fog line tape may not look as nice, markers would be pushed over and that it would be cheaper to do the fog line tape. He stated that the 10 foot right of way in question was owned by the Town.

Ms. Landman stated that the more people cross over the fog line the quicker they will fade and have to be repainted but that most people were better able to see the fog lines as opposed to delineated posts.

Mr. Sullivan stated that the way he saw it, the question was that we take no action, agree to fog lines or delineated posts.

Ms. Landman made a motion that the Town put white fog lines on Boutilier Lane edge markings in Ridgemont Woods for a cost of approximately \$280.00. Mr. Sullivan seconded.

VOTED: To instruct the Town to put white fog line edge markings in Ridgemont Woods on Boutilier Lane. 3-0.

#### C. Heritage Commission Lighting Suggestion

Ms. Landman discussed the Heritage Commission's suggestions for lighting in the old Town office conference area. She stated that Peter Parker was well versed regarding preservation of documents and that it was his suggestion that the Town use lighting that

would be installed in the clerks area, but install UV shields over the fluorescent lights in order to keep documents from fading. It was also suggested that the Town install a motion detector automatically shut off the lights when the room is not in use to conserve money and protect documents. Mr. Parker informed her that the shields last for approximately 10 years and that the cost would be approximately \$6.00 per shield.

Mr. Sullivan made a motion to install UV shields to the new lights in the conference area and to install a motion detector to automatically shut off the lights when not in use. Ms. Landman seconded.

VOTED: To install UV shields and a motion detector in the conference area of the old Town Office. 3-0.

#### D. Letter to Governor Benson Regarding B & M Railroad.

Ms. Landman composed a letter to Governor Benson informing him of the Town's position regarding the proposed discontinuance of B & M Railroad in a section of North Hampton. The Town is against the proposed closing and asks the Governor to consider options to keep the line active. Ms. Landman also suggested that Mr. Pardue write a similar letter to the attorney for B & M Railroad expressing the Town's position. No motion was needed on this issue, copies of the letter to be sent to State Representative, other towns affected and the State Transportation Department.

#### E. Feasibility of Town Planner Position

Mr. Sullivan discussed the possibility of doing a feasibility study regarding the hiring of a Town Planner. He stated that this was brought up 2 years ago and that all the area towns have planners. He stated that the Town would benefit by having better communication between boards, increased potential for grant monies and continuity. He would like to have a study done so that if it is decided to hire a planner it can be budgeted for in the next budget.

Ms. Landman stated that she felt the Town needed a part time code enforcement officer more than it did a planner. It is her feeling that a part time code enforcement officer would help save money. She stated that Russ had told the BoS that it was impossible to get a part time planner and that the Planning Board and the Zoning Board both question the need for such a position.

Mr. Hines stated that the Town could get a part time planner and that he was impressed with the planner in Raymond. He feels that it is worth it for North Hampton to get a planner. He stated that the issue of a part time code enforcement officer was not an agenda item and thus would not be discussed until such time as it was on the agenda.

Mr. Sullivan made a motion to conduct a feasibility study for the hiring of a part time planner for North Hampton. Ms. Landman asked that the motion be amended to not

hiring for such a position until the March 2004 Warrant. Mr. Sullivan did not agree to amend the motion. Mr. Hines seconded Mr. Sullivan's motion.

VOTED: To conduct a feasibility study regarding the hiring of a part time Town Planner. 2-1 Ms. Landman against.

#### F. End of Year Fiscal Encumbering of Funds

Chief Page came before the BoS to request that he be allowed to encumber funds still available in his health insurance budget. He stated that the funds were available because of voluntary termination of an employee. He went on to say that the 22% increase in next year's health insurance budget had erroneously been left off of the 2003-2004 budget and asked that he be allowed to encumber the funds left in this current budget to help offset this error. He said that he has plans to return approximately \$18-\$20,000 to the Town out of this current budget.

Ms. Landman discussed the specific rules that must be followed in order to encumber funds and suggested that "prepaying" be looked into. Mr. Sullivan stated that it was against the rules to encumber funds from a line item. He also suggested that Chief Page work with the Town Attorney to prepay next year's premium. Ms. Landman made a motion that upon approval of the DRA we attempt to prepay health insurance premiums if it is not allowed to encumber funds from the Health Insurance Line Item. Mr. Sullivan seconded.

VOTED: Upon approval of the DRA we attempt to prepay health insurance premiums if it is not allowed to encumber funds from the Health Insurance Line Item.

#### G. Questions/Comments Relating to the Above Topic Areas

Phil Wilson suggested that if the Town wanted to prepay something they should get an invoice before the end of the fiscal year. As to the Town Planner issue, he feels that the representative from the Rockingham Planning Commission, John Krebbs, is doing a fine job and doesn't feel that the Town needs to hire its own planner. He stated that if a cost analysis were to be done it would cost the Town more to hire a planner because of the need for benefits to an employee. He stated that John Krebbs has access to other planners and can get grant money and is very responsive to the Town's needs. He feels that this issue is being raised because the Planning Board is now an elected board and he states that the BoS is not happy about this.

Mr. Hines responded by stating that the BoS never had unlimited control over the Planning Board, they had the power to make appointments, but never had the power to remove appointees. He questioned why, if the arrangement with the Rockingham Planning Commission was such a deal, other towns had planners. He stated that the people decided on an elected Planning Board. He feels that there is no harm in conducting a feasibility study on this issue and that the motion as made does not specify that we are hiring a planner or not hiring a planner, just doing a study on it.

Ron Todd suggested that the Town check with the Rockingham Planning Commission to see what other services they could provide in making a comparison of using the Commission services versus hiring a planner. He feels that the issue of a part time code enforcement officer would be in the town's interest because then things could get "nipped in the bud" thereby saving the Town money in the long run. Ron went on to say that businesses are not being made to follow the codes and the Town is suffering in the long run.

Mr. Sullivan questioned what issue Ron was referring to other than the Jim Jones issue. He felt that Ron was implying that the BoS was looking the other way on this issue. He took exception to the implication that the BoS was not enforcing the ordinances and stated that the procedure was that there must be a formal complaint made to the Building Inspector.

Ms. Landman mentioned the sign ordinance and the many violations thereof. She stated that it was the duty of the BoS to enforce the ordinances that are in place. She stated that no one wants to be the bearer of bad news, but that the BoS has a responsibility to the people of the Town to enforce the ordinances.

Phil Wilson gave the BoS numerous examples of businesses that were violating ordinances.

Mr. Hines stated that, speaking for himself, he had attended the New Hampshire Municipal Council's training when he was first elected and that it was part of that training that stated that Boards of Selectmen do not make the best code enforcement personnel for a town and that the BoS should let those professionals hired to do code enforcement do their jobs.

Dr. Arena discussed the fact that now that the Planning Board is elected it is more political. He stated that when it was an appointed board the "buddy-buddy" system was in place. He stated that the Planning Board uses the ordinances as a guide and feels that hiring a part time code enforcement officer would be in the Town's best interest. He stated that no one was "pointing fingers" about others not doing their jobs and that what other towns did was irrelevant. He went on to say that the members of the Planning Board were well educated and the best thing to happen to this Town was when the Planning Board was elected. He asked that Mr. Sullivan come to the next Planning Board meeting to observe them in action.

Mr. Sullivan stated that this issue was not an attempt to "castigate" the Planning Board, it is an attempt to provide more services to the Town.

Ms. Landman questioned the possibility of encumbering funds to pay for the "fly-over" photograph taken by the Rockingham Planning Commission on behalf of the Conservation Commission. She stated that the Chair of the Conservation Commission

obligated the Commission before he got approval and the Commission voted down the expenditure.

Mr. Sullivan stated that this issue had been voted on numerous times in the past and that it was not approved by the BoS on the last vote taken. He stated that the Conservation Commission had obligated themselves to pay for this.

Ms. Landman made a motion to encumber funds to pay for the fly-over done by the Rockingham Planning Commission. There being no second the motion failed.

Mr. Sullivan asked Dr. Arena if any members of the Planning Board could be objective on the issue of hiring a Planner, if it was decided that it was in the Town's best interest. Dr. Arena stated that it would have to be specifically defined as to what the Planner would do. He feels that the Planning Board is sharp enough to run things and that hiring a Planner was an affront to the Planning Board. He suggested that we cut out the divisiveness between the boards and that friction accomplishes nothing. Phil stated that there was one member of the Planning Board that was for hiring a Planner, but he would not state whom.

### III. Administration/Business

#### A. Town Administrator's Report

Mr. Pardue made his report to the Board. Issues discussed were as follows:

1. Tennis court renovation- Painting is being done today (6/23/03) and the hope is that it will be operating within the next 1-2 days.
2. The Heavy Equipment Operator-Laborer Position- Ad has been posted in the "Help Wanted" sections of area newspapers and on the website. The closing date is June 30.
3. Mosquito Control- Mike Morrison has been actively spraying. His first invoice will be paid on or about July 1. All invoice payments are "front loaded" due to the unavailability of funds until after July 1.
4. Contractor for Old Town Hall- Invoices for Jay Pike will be paid on or about July 1 as agreed.
5. 120 Lafayette Road- Complaint signed by Mr. Ron Todd and other neighbors/abutters of 120 Lafayette Road. They are asking the Town to review the requirements of the Court Order issued by Judge Frasier. They feel the requirements of the order have not been followed and want the Town to take further action.

There was discussion regarding this issue. Mr. Sullivan suggested that there be a meeting between the Building Inspector and Town Attorney to discuss this issue and proceed accordingly. Mr. Hines agreed that counsel should be consulted to see what we are up against. He stated that Mr. Jones has never once complied with the Court Order or the Town's directives. Ms. Landman suggested that it was up to the Town to go back to the Court and inform them of the noncompliance.

6. Re-Keying- The re-keying of the Town Offices and Town Hall was completed today. Keys will be available from the BoS.
7. Recycling- Waste Management has issued new rates. This has led to multiple complaints regarding the fees. Consumers are being told that the fees and services are between the consumer and Waste Management.

Ms. Landman stated that the Town has an obligation to provide for safe disposal of trash and that the obligation has been met. The Town does not contract with a refuse company. She feels that Waste Management was deceptive in that curbside recycling was supposed to be "free" and Waste Management raised its rates to cover the cost. Mr. Hines felt that the fee was reasonable. He stated that when he first moved here he paid \$18 per month for trash pickup. He now pays \$18 per month for trash pickup and curbside recycling. Mr. Sullivan stated that it was a good deal for the town.

#### B. Approval of Minutes

- i. June 9, 2003 Open Session
- ii. June 9, 2003 Non-Public Session

Ms. Landman made a motion to accept the minutes as reported. Mr. Sullivan seconded the motion.

VOTED: To accept both the Open Session and Non-Public Session minutes as reported for June 9, 2003. 3-0

#### C. Tax Abatement

One Tax Abatement was signed off on.

#### D. Veteran's Exemption

One Veteran's Exemption was signed off on.

#### E. Payroll

Payroll was signed off on.

#### F. Manifest

Manifest was reviewed and signed off on.

#### IV. Adjournment

There being no further business to come before the Board in open session, Mr. Sullivan made the motion to adjourn the open session and move into Non-Public Session under RSA 91-A:3 II. Ms. Landman seconded the motion. The vote was unanimous and so moved. Open session adjourned at 8:45 p.m.

Respectfully submitted

NormaJean Fowler  
Recording Secretary