

Board of Selectmen  
Minutes of 12/06/04  
**Approved 12/20/04**

I. Call to Order.

Chairman Don Gould called the meeting to order at 7:05 p.m. There were present, Emily Creighton, Selectwoman, Jon Rineman, Selectman and Michael Pardue, Town Administrator. Mr. Pardue served as the Recording Secretary for this session.

II. Selectmen Items

A. Fire Department Lieutenant Appointment

Fire Chief Thomas Lambert presented to the Board his recommendation for the promotion of Mr. B. Cabot Trott to the position of Fire Lieutenant. Chief Lambert provided the Board with an overview of Mr. Trott's professional experience and qualifications as related to the position of Lieutenant for the North Hampton Fire Department.

**Motion / Vote: Mr. Rineman made a motion to appoint B. Cabot Trott to the position of Fire Lieutenant of the North Hampton Fire Department as per the recommendation of Fire Chief Thomas Lambert. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3-0.**

The Board members and the Town Administrator congratulated Lt. Trott following the Board's vote of appointment.

B. Recognition of Service to North Hampton – Posthumously Awarded – Mr. Mark W. Savage

Present to accept a framed proclamation honoring Mr. Mark W. Savage was his son, Mr. Donald Savage.

Mr. Gould read a proclamation honoring the exhaustive contributions made by Mr. Mark Savage during his years of service to the North Hampton Fire Department. The posthumously awarded proclamation was given to Mr. Donald Savage who was in attendance.

The Board expressed their appreciation to Mr. Donald Savage for the many contributions his father had made to the North Hampton Fire Department prior to his death.

Mr. Donald Savage accepted the framed proclamation from the Board, expressing his many thanks for the public acknowledgement of his father's contributions to the North Hampton Fire Department.

### C. Atlantic Ave, Sidewalk Discussion

The Board asked Mr. Pardue and Road Agent Strout about their recent meeting with the New Hampshire Department of Transportation during which the construction of a sidewalk along Atlantic Ave. between the North Hampton School and the railroad overpass was discussed. Mr. Pardue advised the Board that an engineer from the NHDOT had reviewed the project and calculated an estimated construction cost of \$108,000 while using year 2000 price figures. Mr. Pardue advised the Board that the NHDOT engineer suggested the cost of the project, using revised 2005 construction estimates would be between \$150,000 - \$200,000.

The Board acknowledged that the NHDOT estimates are in stark contrast to the projected cost of \$30,000 as offered by Mr. Southworth at the November 22, 2004 Board meeting. Recalling that Mr. Southworth stated that the estimate of \$30,000 was based on the calculations of a local contractor, the Board asked Mr. Pardue and Mr. Strout to solicit a project quote from area contractor(s) specializing in the design and construction of sidewalks.

The two public safety officials in the audience, Fire Chief Lambert and Chief of Police Page were asked by the Board to comment on the safety aspects of this project, acknowledging the proposed sidewalk appears to funnel walkers to the front of the public safety complex where vehicles may possibly be exiting the complex at emergency response speeds.

Chief Page and Chief Lambert both expressed their concerns related to the possible convergence of pedestrians and vehicles into an area where vehicles frequently exit the public safety complex in a "response mode".

Mr. Rineman asked Chief Lambert and Chief Page if they believed the sidewalk was necessary when considering the Emergency Response Plan should there be a need to evacuate students from the school to the municipal complex. Both Chiefs stated that in a scenario of that nature, the roadway would be closed and the sidewalk would not be necessary for safe passage.

Mr. Rineman spoke to the fact that the school library and the public library are "linked" electronically, reducing the need for children to walk between the two libraries on a routine basis.

Ms. Creighton advised the Board that she would investigate to determine how many students typically walk from the school to the public library on a daily basis.

#### D. Country Club Estates Homeowners Association – Cable and Telephone Line Burying and Related Disruption of Property - Mr. Gerry Billadeau

Mr. Billadeau addressed the Board as the President of the Country Club Estates Homeowners Association.

Mr. Billadeau began his presentation by complimenting Road Agent Strout for his recent assistance in repairing sunken storm drains at the entrance to the neighborhood and his further aid in moving a very large decorative rock that adorned the entrance to Country Club Estates. Mr. Billadeau cited that Mr. Strout's efforts have greatly improved the safety and aesthetics of the entrance to Country Club Estates.

Mr. Billadeau advised the Board that he is concerned about the condition of the roadside following the times when cable and telephone companies "trench" while laying underground service cable. Mr. Billadeau went on to say that he is greatly disappointed that the Town allows these "for profit" companies to disturb the roadside and then backfill their work with a product that is unlike that which the homeowner had in place.

The Board asked Mr. Strout his opinion on this topic of concern. Mr. Strout explained that the area where utility companies trench for underground service placement is in the Town right-of way and that the Town's regulations only call for replacing the disturbed town property with gravel like material. Mr. Strout went on to say that homeowners who place sod or plantings or, in some cases underground irrigation along the edge of the roadway do so at their own risk. Mr. Strout explained the distances associated with the right-of-way belonging to the Town.

The Board asked Mr. Strout where such regulations are found. Mr. Strout cited the regulations as found in the Town of North Hampton Zoning Regulations book.

The Board explained to Mr. Billadeau that his concerns were well expressed but that the Board of Selectmen must refer him to the Planning Board due to the nature of his concerns. Mr. Billadeau acknowledged his appreciation for the Board's time and stated that he would make an appointment to address the Planning Board.

#### E. Natural Hazard Mitigation Plan Update & Discussion

Chief Brian Page, Chair of the Natural Hazard Mitigation Plan Committee provided the Board with an overview of the plan and the "to date" progress that has been made by the Committee in developing the plan. Chief Page advised the Board that in the near future he thought the draft plan would be coming out of committee for the Board to review and comment on.

#### F. Personnel Rules Subcommittee

Mr. Pardue advised the Board that he felt there was a vital need to form a Personnel Rules subcommittee for the purpose of reviewing and updating the Town's personnel rules. Mr. Pardue went on to explain that said rules are several years old and need to be updated. Mr. Pardue suggested the committee be comprised of the Town Administrator, Administrative Assistant, Fire Chief, Police Chief and a member of the Board of Selectmen.

Ms. Creighton inquired as to the anticipated timeframe related to this effort. Mr. Pardue advised that he envisioned the committee beginning their work right after the first of the year and setting an aggressive schedule that would wrap up the committee work within six months.

Ms. Creighton stated her interest to serve on the Personnel Rules subcommittee.

Mr. Rineman and Mr. Gould quickly thanked Ms. Creighton for volunteering to participate in this effort.

**Motion / Vote: Ms. Creighton made a motion to form a Personnel Rules subcommittee for the purpose of reviewing and revising the Town's personnel rules. Mr. Rineman seconded the motion. The vote was unanimous and so moved. 3-0.**

#### G. Appointment to the Bandstand Committee

The Board responded to a letter from Ms. Delores Chase, Chair of the Bandstand Committee requesting the appointment of Mr. Stephen E. Bua to the Bandstand Committee. Mr. Bua's appointment is to fill a vacancy on said Committee.

**Motion / Vote: Mr. Rineman made a motion to appoint Mr. Stephen E. Bua to the Bandstand Committee as recommended by Ms. Delores Chase. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3-0.**

#### H. Education Funding Status Report

Ms. Creighton advised those in attendance that she and Mr. Gould had recently attended a meeting during which there was an informative discussion concerning the proposed elimination of "donor towns" as related to the State funding of education. She continued stating that under the proposal, the funding would be more needs based and that the "need" would be measured in a variety of ways as opposed to the current community-by-community property value approach.

Mr. Gould added that at the meeting it appeared that both the attorney and lobbyist that were present were confident the proposed bill would pass the House and that there was

a good possibility that the Senate would pass the Bill too. Mr. Gould also stated that the new Governor Elect and the new Speaker of the House were in favor of the proposed Bill.

The Board discussed providing funding assistance to the Coalition Communities organization, an organization designed to promote the fair and equitable funding of education throughout the State. Mr. Gould noted that of all the member communities, North Hampton was at or near the bottom of the contributor list and that this was a bit embarrassing when attending meetings comprised of other communities which had provided significant funding to the Coalition.

The Board discussed the need to financially assist with the efforts of the Coalition Communities while recognizing there exist no budgeted funds for said effort. The Board asked Mr. Pardue to allocate \$2,000.00 for this effort out of the existing budget and then budget \$2,000 to assist the Coalition Communities in the 2005-'06 budget.

**Motion / Vote: Mr. Rineman made a motion to send the Coalition Communities organization the sum of \$2,000 to assist in their efforts to pass legislation that more fairly and equitably funds education throughout the State. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3-0.**

#### I. Tax Rate Discussion

Mr. Gould provided the Board with an overview of the last meeting of the Budget Committee during which he presented a letter from the Board of Selectmen indicating their concerns over the new tax rate.

Mr. Gould inquired of Chief Page and Chief Lambert as to how the maximum 3% proposed budget increase mandate is impacting their draft budget efforts.

Much discussion ensued about the tax rate and budget matters, particularly in the area of health care costs.

Mr. Rineman spoke to the fact that there may in fact be a desire by residents to pay increased taxes for the increased services citing the fact that it was the voters who authorized the expenditures at the annual meeting and subsequent vote.

#### J. Budget Issues

The Board discussed a proposed warrant article related to changing from the current SB-2 form of town meeting and returning to a traditional town meeting. The Board asked Mr. Pardue to look into the possible impact of such a change.

#### K. Questions and Comments Related to the Above Topic Areas

NONE.

### III. Non-Public Session RSA 91-A:3 II (a,d)

Discussion of Personnel Matter and the Acquisition, Sale or Lease of Real or Personal Property

**MOTION/VOTE: Ms. Creighton made a motion to temporarily adjourn the public portion of the meeting, at 8:45 p.m., for the purpose of entering into a Non-Public Session under the provisions of RSA 91-A:3 II (a,d) for the purpose of discussing a personnel matter and the acquisition, sale or lease of real or personal property. Mr. Rineman seconded the motion. A roll call of all members unanimously approved this motion. The vote was unanimous and so moved. 3-0.**

The Board and the Town Administrator moved to another room.

**MOTION/VOTE: Ms. Creighton made a motion to reconvene in public session at 9:20 p.m. for the purpose of continuing the public portion of the Selectmen's meeting. Mr. Rineman seconded the motion. The vote was unanimous and so moved. 3-0.**

### IV. Administration/Business

#### A. Town Administrator's Report

1. TA – As the BOS requested Attorney Ryan has reviewed the Dennis Mires 2001 contract with the Town as related to the municipal complex. Attorney Ryan is of the opinion that Mr. Mires met the requirements of the contract and further that he, Mires, fulfilled the report obligations of said contract
2. TA – Met with Mike Morrison and Pat Dodge re: mosquito control RFP
3. TA – Structural engineering assessment of Town Hall building completed – awaiting report
4. TA – Awaiting final report from AG's office re: polling place deficiencies, including response to Town's proposed corrective action
5. TA / PWD – Met with NHDOT re: sidewalk along Atlantic Ave.
6. PD – Explorer is being equipped with radio equipment and is scheduled for lettering within the week
7. FD – Ambulance has arrived – State has inspected vehicle – allowing its placement into service - Town of North Hampton lettering to be applied within the next week or two.

8. FD – Conditional Offer of Employment extended – pre-employment background being completed at this time
9. Rec – Santa is scheduled to visit on 12/11/04 from 5:30 – 7:30 p.m. Old Town Hall
10. BI – Draining pipes at 239 Atlantic Ave. for winter
11. BI – Site survey underway for Cedar Rd. property – scheduled for this week
12. BI – In discussion with FAA regarding structures and flight path of airfield runway
13. PWD – Brush dump now closed – as of 11/27/04

The Board also discussed their concerns as related to the need for a “positive” structural engineering report for the Town Hall prior to allowing the upcoming Santa visit.

The Board also suggested a sign be erected at the Town library indicating the presence of children in the hope that this information would cause motorists to slow as they traveled in the vicinity of the library parking lot.

#### B. Correspondence

Mr. Pardue distributed to the Board a letter received at the Town Office from John F. & Beverly C. McDaniels in which they cite their support for a proposed Verizon wireless tower. Mr. Pardue also distributed to the Board a letter from Anna & Richard Dennehy in which they cite “negatives” they perceive should a wireless tower be authorized.

The Board received the letters, taking same under advisement.

#### C. Approval of Minutes

November 22, 2004 Public Session – Approved 3-0.

**Motion / Vote: Mr. Rineman made a motion to accept the meeting minutes of 11/22/04 as written. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3-0.**

November 29, 2004 Public Session – Approved 2-0-1

**Motion / Vote: Mr. Rineman made a motion to accept the meeting minutes of 11/29/04 as amended. Mr. Gould seconded the motion. The vote was 2-0-1 with Ms. Creighton abstaining from the vote as she was excused from the meeting of 11/29/04 due to professional obligations.**

#### D. Payroll

The Board signed off on payroll forms.

E. Manifest

The Board reviewed and signed off on manifest forms.

F. Other Business

The Board asked Mr. Pardue for data related to the veteran credits and elderly exemptions granted for the 2003 tax year. Mr. Pardue advised this data was readily available and that he would place a copy of such in each Board members mailbox the next day.

IV. Adjournment

**Motion / Vote: Being no further business to come before the Board, Mr. Rineman made a motion to adjourn at 9:56 p.m. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3-0.**

Respectfully submitted,

Michael Pardue  
Town Administrator