

Board of Selectmen
Minutes of 08/22/05
Approved 9/12/05

I. Call to Order

Chairman Don Gould called the meeting to order at 7:00 p.m. There were also 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. Oil Bid Opening

Mr. Pardue advised the Board that despite placing a Public Notice in local newspapers and mailing personal invitations to heating oil vendors, the Town did not receive a single bid meeting the requirements of the Request for Proposals as published. Mr. Pardue advised the Board that one bid was submitted today, August 22, 2005, several days past the due date of August 19, 2005. Mr. Pardue recommended that the Board consider reissuing the RFP for heating oil with a reply date of August 31, 2005.

It was the consensus of the Board to reissue the heating oil RFP and to ask that submission be in to the Town no later than close of business on August 31, 2005.

B. Natural Hazard Mitigation Plan

Mr. Pardue advised the Board that the department heads had worked closely with Ms. Theresa Walker of the Rockingham Planning Commission in finalizing the draft plan and in readying it for submission to FEMA. The Board did not have any questions concerning the plan and voiced their support to have the draft document sent to FEMA for comment.

Mr. Pardue explained that once the document is returned to the Town from FEMA, the Board will be asked to again review the plan and, if they are in agreement with the proposed plan, make it available for public review and comment. Following an appropriate amount of citizen review / comment time, the Board will be asked to hold a public hearing, allowing for formal citizen comment.

C. Beaver Dam – Pine Road

Mr. Gould provided those in attendance an overview of the problem being created for residents by a very aggressive beaver population inhabiting the Pine Rd. area.

Road Agent Robert Strout was also in attendance and briefed the Board on the facts and circumstances related to the beavers plugging a culvert that is on private property. Mr. Strout and the Board sympathized with the Pine Rd. residents in attendance concerning this issue but stated that the Town could not, by State statute, expend public funds on private property.

Following additional testimony by the impacted homeowners, the Board discussed the possibility that some health concerns may exist due to the actions of the beavers. With that concern in mind, the Board asked Mr. Pardue to discuss this matter with the Town's health officer and that the health officer be asked to review this matter to insure no health issues exist.

D. Coalition Communities – Request for Funding Assistance

Mr. Gould provided an overview of the work of the Coalition Communities (CC) and the mission of said entity. He spoke of the Coalition Communities efforts to bring about a law that removed donor towns in relation to the school funding effort.

Members of the Board discussed the fact that North Hampton benefits from the efforts of the of the CC. It was also noted that North Hampton donates considerably less than neighboring communities. The Board discussed the fact that last year they approved spending \$2,000 in support of the CC.

Motion / Vote: Mr. Rineman made a motion to contribute \$2,000.00 toward the effort of the Coalition Communities with the understanding that said entity will continue to work to legislate for a fair and balanced school funding plan. Ms. Creighton seconded the motion. The vote was unanimous and so moved. 3- 0.

E. Highway Facilities Committee Update

Mr. Gould provided an overview of the up-to-date efforts of the Highway Facilities Committee, including the highlights of a presentation offered by Mr. David Provan of the LGC on marketing municipal facilities. Mr. Gould cited that Mr. Provan recommended that Town officials consider delaying the vote on the construction of a highway facility until the March 2007 vote, affording more time for research and marketing efforts. General discussion ensued concerning the efforts that have gone in to identifying potential construction sites etc.

Ms. Cynthia Swank, a member of the Highway Facilities Committee cited the need for some funding availability as the Town considered site evaluation and building design work.

Additional discussion ensued. Mr. Gould advised all in attendance that at this time there is no final report summarizing the work and recommendations of the Highway Facilities Committee. He further cited that the Code Enforcement Officer and Road

Agent are slated to meet with the Towns engineer on August 25th for the purpose of reviewing the Cherry Rd. site as a possible building location and to further discuss the feasibility of using the current recycling building, with modifications, for the highway department.

Ms. Creighton cited that her major concern with the property is the salt getting into the water aquifer. She asked if anyone knew how many of the abutters to the Town Recycling Center were on Town water. Someone volunteered that only one abutter was on Town water.

F. Questions & Comments Related to Above Topics

Ms. Cynthia Swank inquired as to whether or not there exists a disaster plan for the Town offices in the event of a major or catastrophic event.

Motion / Vote: Mr. Gould made a motion to temporarily adjourn the meeting at 7:38 p.m. for the purpose of entering into non-public session under the provisions of RSA 91-A:3 II (a,e) for the purpose of discussing a personnel matter and a possible legal issue. Ms. Creighton seconded the motion. A roll call vote of the Board was taken. Motion passed unanimously 3-0.

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

Motion / Vote: Mr. Rineman made a motion to reconvene the public portion of the meeting at 8:25 p.m. Ms. Creighton seconded the motion. Motion passed 3-0.

IV. Administration/Business

A. Town Administrator's Report

1. REC – Summer camp has ended. A successful program again this year.
2. PWD – Road line painting has been completed.
3. PWD – Highway staff have rebuilt the picnic tables as opposed to buying new ones in an effort to save funds – nuts and bolts donated.
4. FD – Conditional offer has been extended to a FF candidate – background nearly complete.
5. PD – Conditional offers have been made for two new police officer positions. Backgrounds continue
6. CEO – Continued “step-up” of the enforcement of code violations.
7. TA – Voicemail system is NOT operational – technician has suggested a need to replace VM system due to electronic failure – cause TBD.
8. TA – Building Dept. Administrative Secretary position has been advertised

9. Bandstand parking issues have been addressed with coning-off in areas along south side of North Hill Rd. as suggested by public safety officials and overflow parking being permitted in Mr. Sanderson's field as worked out by Ms. Chase.

B. Correspondence

None.

C. Request to Appear on Board's 9/12/05 Meeting Agenda – Mr. Kokernak

Prior to making his request to appear before the Board on September 12, 2005, Mr. Kokernak initiated a discussion with the Board concerning possible architecture options available for the delivery of cell service.

Mr. Gould advised Mr. Kokernak and his attorney, Peter Loughlin of the role of the Board in relation to the tower application that has been filed with the Town. He further advised that the Board of Selectmen is operating under the guidance of their lawyer, Mr. Robert Ciandella and at this time is not positioned to engage in discussion regarding the proposed cell towers, cell service delivery architecture etc.

Mr. Gould, on behalf of the Board, asked that Mr. Kokernak and his lawyer draft a brief of not more than two pages, outlining the subject matter they are hopeful to present to the Board at a future time. Mr. Gould advised all parties that once the requested document is received by the Town Administrator, it will be forwarded to Attorney Ciandella for his review and comment. Mr. Gould stated that until such time that Attorney Ciandella advises the Board that meeting with Mr. Kokernak and his team of advisors is appropriate, the Board must defer meeting with said individuals on the topic of cell towers tower applications, cell service delivery systems etc.

General discussion ensued with Mr. Kokernak and his lawyer, Mr. Peter Loughlin. At one point in this conversation, Mr. Kokernak urged the Board to take a public position regarding his belief that the lot line between the Town owned land parcel that borders the Morton property on Woodland Rd. has been infringed upon by the Mortons. Mr. Gould questioned Mr. Kokernak as to why he was choosing to bring this allegation forward to the Board at this time. During the posing of questions by Mr. Gould to Mr. Kokernak, it was further verified that the Board (Town) was being asked to render an opinion on this matter for the purpose of aiding in Mr. Kokernak's effort to impede the cell tower application process.

Following more discussion, the Board came to consensus to request that Attorney Ciandella review the Vicinity Plan and Site Plan as presented by Mr. Kokernak to determine if there exists an encroachment on Town property by the actions occurring on or about the Morton property. Then Board did not make any comment regarding the cell tower application process nor did they express any sentiment concerning the alleged lot line matter.

D. Approval of Minutes

August 8, 2005 – Open Session
August 8, 2005 - Non-Public Session
August 16, 2005 – Public Session
August 16, 2005 – Non-Public Session

Motion / Vote: Ms. Creighton made a motion to approve the Board meeting minutes of August 8, 2005 (Public Session) as written. Mr. Rineman seconded the motion. The vote was 2- 0-1 with Mr. Gould abstaining as he was not present at the 8 August 2005 meeting.

Motion / Vote: Ms. Creighton made a motion to approve the Board meeting minutes of August 8, 2005 (Non - Public Session) as written. Mr. Rineman seconded the motion. The vote was 2- 0-1 with Mr. Gould abstaining as he was not present at the 8 August 2005 meeting.

Motion / Vote: Ms. Creighton made a motion to approve the Board meeting minutes of August 16, 2005 (Public Session) as written. Mr. Rineman seconded the motion. The vote was unanimous 3-0.

Motion / Vote: Ms. Creighton made a motion to approve the Board meeting minutes of August 16, 2005 (Non - Public Session) as written. Mr. Rineman seconded the motion. The vote was unanimous 3-0.

E. Payroll

The Board reviewed and signed two weeks of payroll forms.

F. Manifest

The Board reviewed and signed two manifests.

G. Other Business

None.

V. Adjournment

Being no further business to come before the Board, Mr. Gould made a motion to adjourn at 9:20 p.m. Mr. Rineman seconded the motion. The vote was unanimous and so moved. 3-0.

Respectfully submitted,

Michael Pardue
Town Administrator