

Board of Selectmen  
Minutes of 03/13/06  
**Approved 4/10/06**

***The proceedings of this meeting are available in audio format. To request a copy of the audio format, please contact the Town office at 603-964-8087.***

## **I. Call to Order**

Chairman Don Gould called the meeting to order at 7:00 p.m. There were also present, Emily Creighton, Selectwoman, Chuck Gordon, Selectman and Michael Pardue, Town Administrator. Mr. Pardue served as the Recording Secretary for this session.

## **II. Selectmen Items**

### **A. Discussion of North Hampton Forever Bond Anticipation Note**

Mr. Gould advised those in attendance that the Board had, within the past week, learned that a Bond Anticipation Note (BAN) had been paid by the Treasurer without Board of Selectmen approval as required by law. Mr. Gould further advised that the actions of the Treasurer were felt to be a mistake and not malicious in any manner.

Mr. Gould provided some background as to what caused the Board to research why the debt associated with these BAN's was not reflected on the auditors most recent report, the report instead reflecting the BAN's having been paid in-full.

Mr. Gould reported that the Town's review of this matter found that two BAN's taken in 2/04 had been paid off by the Treasurer on 2/23/05 without the knowledge or permission of the Board of Selectmen. The payment totaled more than \$511,000 and was drawn from the Town's Undesignated Fund Balance.

Mr. Gould further emphasized that all funds of the Town are accounted for and there is no reason to believe that the payment was dishonest in any manner.

Mr. Gould noted that the Town's auditor, Town Attorney and Bond Counsel were at this time reviewing the matter to determine what steps need to be taken to restore the Town's full bonding authority.

Mr. Gould further advised that the Town will likely receive an unfavorable management letter from the auditors, requesting what steps the Town will be taking to insure that a similar incident does not occur in the future. Once those steps are in place, Mr. Gould stated it is his understanding that the "negative" letter will be lifted. Mr. Gould pointed out that currently the Town is in the process of drafting a policy that reiterates the requirements of the RSA's governing the Treasurer, requiring that she/he have BOS

approval to issue a check or make an electronic wire transfer of funds prior to such actions.

Mr. Gould pointed out that had the payment not been an electronic wire transfer, it would have been reflected on a manifest and subject to the review and approval of the Board as is the case in all issued checks.

Mr. Gordon clarified that the notice the Treasurer had received regarding the payment of the BAN's merely indicated that "Your Commercial Loan is Due" which is likely why the Treasurer hastily paid the bill without Board authority.

The Board discussed certain controls that can and should be implemented to safeguard against a repeat of this type of action. The Board also spoke of their desire to receive a Treasurer's report on a monthly basis as opposed to quarterly.

#### B. Pest Control at Old Town Hall

It was reported to the Board by the Road Agent, Robert Strout, that the Town Clerk and Tax Collectors office (Stone Building) has a rodent problem. Mr. Strout advised the Board that he has met with a representative of Atlantic Exterminating to map out a plan to mitigate the situation. The plan calls for an aggressive bait and trap program in the first month and then a twelve month, on-going, monitoring and mitigation effort.

The Board expressed concerns as to the cost of an on-going twelve month plan, feeling that it would be most prudent to see what impact the aggressive, first month effort has before signing a long-term agreement.

**Motion/Vote: Mr. Gould made a motion to authorize the expenditure of \$421.00 for the 1<sup>st</sup> months pest mitigation plan for the building housing the Town Clerk and Tax Collector. Mr. Gordon seconded the motion. The vote was unanimous and so moved 3-0.**

#### C. Fire Department resignation

Chief Lambert advised the Board that Firefighter Jason Newman had tendered his resignation from the North Hampton Fire Department and that he, Newman, was going to be joining the Hampton FD.

#### D. Fire Department – New Employee Wage Structure

Fire Chief Lambert addressed the Board with his recommendation that the starting pay for new firefighters be increased.

There was considerable discussion regarding this matter. When asked, Chief Lambert advised that the current rate of pay for a probationary firefighter is \$15.00. He, Lambert, clarified that this rate of pay is not a part of the current Collective Bargaining

Agreement. Chief Lambert stated that a firefighter, once successfully completing their probationary term, moves to an hourly rate of pay of \$18.05 which is indicated in the Collective Bargaining Agreement currently in place.

Additional discussion ensued with conversation focused on comparing and contrasting North Hampton Fire Department wages to those of similar sized communities.

After considerably more discussion related to the wages of fire personnel, Mr. Gould raised the question of imposing a hiring freeze due to the current condition of the Town budget. The Board and the Town Administrator addressed the fact that the overall Town budget has funds equating to approximately 33% remaining while approximately 32% of the fiscal year remains. Mr. Pardue advised the Board that the Town's legal fees have been very costly and continue to move upward due to unanticipated legal fees related to wireless tower issues and most recently, the Bond Anticipation matter discussed earlier tonight.

Ms. Creighton voiced her belief that the Board should immediately impose a hiring freeze until such time the Town has had an opportunity to review finances, especially those anticipated to be incurred in the three months remaining in the fiscal year.

**Motion/Vote: Mr. Gould made a motion that until further notice, there be a hiring freeze imposed. Mr. Gordon seconded the motion.**

Discussion ensued with Chief Lambert citing the status of his efforts to fill the existing vacancies in the fire department. Chief Lambert also explained that the positions he is working to fill are existing, approved positions and not additional employees.

Mr. Pardue reminded the Board that there are numerous part-time positions coming-up for hire as the Town seeks to offer the summer recreation program and the highway department opens the brush dump and performs summer maintenance work.

**Motion/Vote: Mr. Gould amended his previous motion to impose a hiring freeze on the filling of full-time positions. Mr. Gordon seconded the motion.**

Discussion ensued with Chief Lambert expressing concern over the considered action of the Board while considering the public safety needs of the community.

**The vote to the motion was called with Mr. Gould and Ms. Creighton voting in-favor of the motion and Mr. Gordon abstaining due to this being his last meeting as a Selectman. The vote was 2-0-1 with Gordon abstaining.**

E. Discussion of Memo from Office of Treasurer Re: Closing of Certain Accounts

The Board reviewed a letter written by Mr. Schwotzer, Special Projects Coordinator, on behalf of Treasurer Shirley Fuller, requesting to close four accounts. The action requested in the memorandum is below:

- Two Community Development accounts (approximate value \$150) and deposit the funds in the Town's Undesignated Fund Balance as miscellaneous income
- Close the Seacoast Indoor Tennis Club Escrow account (approximate value \$10.00) and deposit the funds in the Town's Undesignated Fund Balance as miscellaneous income
- Close the Luck Enterprise Escrow account (approximate value \$525.00) and forward the funds to Luck Enterprises

**Motion/Vote: Mr. Gould made a motion to close the accounts pursuant to the memorandum from Mr. Schwotzer (as issued on behalf of the Treasurer), with the Luck Enterprise account closure contingent upon confirmation by the Chair of the Planning Board. Mr. Gordon seconded the motion. The vote was unanimous and so moved 3-0.**

#### F. Request to Register Non-North Hampton Children for Summer Recreation Program

The Board reviewed a letter from Ms. Diana Wheeler, Recreation Director, requesting Board approval for the registering of non-resident children to the North Hampton Recreation Summer Rec Camp.

The Board discussed Ms. Wheeler's request.

**Motion/Vote: Mr. Gould made a motion to approve the request of the Recreation Director, allowing the registering of non-resident children for the Summer Rec Program, but only after North Hampton families had been provided proper opportunity to register their children for this event. Mr. Gordon seconded the motion.**

Discussion ensued.

The Board asked that this matter be placed on their 3/27 agenda and further asked that Ms. Wheeler conduct some additional research to determine if the fee she is proposing for non-resident attendees is appropriate and in-line with the fees charged by other communities.

#### G. Staffing of the Voting Polls

The Board discussed Board of Selectmen coverage at the voting polls and devised a schedule to meet this need.

#### E. Questions and Comments on Above Topics

None.

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

**Motion / Vote:** Mr. Gordon made a motion to temporarily adjourn the meeting at 8:29 p.m. for the purpose of entering into non-public session under the provisions of RSA 91-A:3 II (d, e) for the purpose of the acquisition, sale or lease of real or personal property and a possible legal matter. Ms. Creighton seconded the motion. Motion passed unanimously 3-0.

**Motion / Vote:** Mr. Gould made a motion to reconvene the public portion of the meeting at 9:04 p.m. Ms. Creighton seconded the motion. Motion passed 3-0.

### **IV. Administration/Business**

#### **A. Town Administrator's Report**

1. PD /AA – Homeland Security check in the amount of 18K received.
2. PD – New lock and camera system to be operational within 1-2 weeks.
3. PD – The officers currently attending the Academy have completed week 10.
4. REC – Diane on unpaid vacation week of 3/13.
5. FD – New FF to start on 3/27.
6. FD – Command vehicle modules have been installed in Explorer – 90% complete.
7. FD – Safety inspection performed this past weekend by National Wrecker – only two vehicles “passed”. Chief anticipating what may be considerable costs to bring “failing” vehicles in to compliance.
8. PWD – Due to begin vehicle safety inspections this week.
9. TA – Will be out of office Tuesday but available on cell.

#### **B. Correspondence**

None.

#### **C. Request for Reduction of Ambulance Invoice**

The Board reviewed a request received by the Town requesting a reduction in the amount of an invoice issued for ambulance services provided to a party.

The Board discussed this request and reached consensus that additional information was needed. Specifically, the Board requests to know if other providers of service related to this incident will too be reducing their invoice.

Mr. Pardue advised he will work with the Administrative Assistant and Chief Lambert to determine if this is the case and will have this matter on the Board's 3/27 agenda.

#### D. Approval of Meeting Minutes

**Motion/Vote: Mr. Gordon made a motion to approve the public session meeting minutes of February 13, 2006 as written. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.**

**Motion/Vote: Mr. Gordon made a motion to approve the non-public meeting minutes of February 13, 2006 as written. Ms. Creighton seconded the motion. The vote was unanimous and so moved 3-0.**

#### E. Payroll

The Board reviewed and signed-off on three weeks of payroll forms. Mr. Pardue suggested that in the future the Board consider reviewing and signing payroll and manifest forms at a time when they, the Board, are at the Town office and have appropriate time to perform a more comprehensive review of the documents. Mr. Pardue asked that if the Board should adopt this approach, they strive to review and sign said forms by the close of business each Wednesday so that payments can be released in a timely manner, allowing employees and vendors to be paid in an appropriate timeframe.

The Board agreed that they would do so beginning with the payroll and manifest forms of 3/20/06.

#### F. Manifest

The Board reviewed and signed-off on three manifests (see above).

#### G. Other Business

None.

### **V. Adjournment**

Being no further business to come before the Board, Ms. Creighton made a motion to adjourn at 9:22 p.m. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.

Respectfully submitted,

Michael Pardue  
Town Administrator