

**An audio recording of this meeting is available. Persons desiring a copy of this audio recording should contact the North Hampton Town Office at 603-964-8087.**

**I. Call to Order**

Chair Emily Creighton called the meeting to order at 7:00 p.m. There were also present Mr. Donald Gould, Selectman, Mr. Henry Marsh, Selectman and Michael Pardue, Town Administrator. Mr. Pardue served as the Recording Secretary for this session.

**II. Selectmen Items**

**A. Bid Opening Re: Junk Material Removal**

The Board opened three bid submissions received in response to the Request for Proposal for this effort. The bids were opened in no particular order.

- Tim & Joni's Towing of Epping, NH. \*Proposes to pay the Town \$50 per vehicle to include boats and trailers with scrap metal removed "for free".
- James L. Ellis Truck Service of Raymond, NH. \*Proposes to remove all unregistered motor vehicles and parts from Walnut Ave. site in North Hampton for a fee of \$3,200. Fee does not include the removal of boats and trailers.
- Delta Crane Service of Hampton, NH. \*Proposes to charge a fee of \$158.00 per vehicle. Motors and machinery to be removed at a fee of \$65.00 per cubic yard. This proposal does not include the price of police details or the removal of hazardous materials as may be necessary or related to this effort.

**Motion/Vote: Mr. Gould made a motion to authorize the Town Administrator and Code Enforcement Officer to review the bid proposals and to award the contract to Tim and Joni's Towing, providing the review of the providers background and references is satisfactory and further, that they provide the Town with an appropriate Certificate of Insurance and pay for all necessary police coverage details in order to safely accomplish this effort. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.**

**B. North Hampton Forever – Seavy Farm Land**

Mr. Chris Ganotis, Vice-Chairman of the Conservation Commission, advised that there exist a minor discrepancy as to where a specific 2+ acre parcel identified in the Agreement is actually located. He emphasized that there is no conflict with the total acreage planned for purchase, only with where this particular 2+ acre piece lies.

The Board thanked Mr. Ganotis for bringing this matter to their attention.

C. Discretionary Preservation Easement Application – Mr. Terrance Dostie

Mr. Dostie presented an overview to the Board of his desire for this easement and his intent going forward with the preservation of his barn. Mr. Dostie spoke of his passion for history.

Mr. Gould spoke to the fact that the Board is not against preservation. Mr. Gould brought to Mr. Dostie's attention the fact that there are significant penalties involved if he, Dostie, fails to maintain the quality of the barn preservation over the years to come.

**Motion / Vote: Mr. Marsh made a motion to grant the preservation easement as applied for by Mr. Dostie. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.**

D. Generator Discussion

Mr. Pardue provided the Board with an overview of the status of the generator proposed to be installed at the North Hampton School. Mr. Pardue advised that Mr. Fred Engelbach, Asst. Superintendent of SAU-21, had inquired about whether or not the generator could be painted a solid green color. Mr. Pardue advised the Board that he had provided Mr. Engelbach with a complete set of specifications related to the generator as well as the name and contact numbers for Milton Cat Sales Representative and Project Manager working with the Town on this effort.

The Board asked Mr. Pardue, in his formal response to Mr. Engelbach's earlier letter, to emphasize the Board's concern as to the importance of having the generator in place and operational as soon as possible. The Board discussed the prediction of the Northeast being impacted by a major storm this summer and the need to have a properly equipped shelter for residents to be evacuated to, should such a need arise.

E. NH Estuaries Project – Grant Award Discussion

Mr. Chris Ganotis requested the Town accept a grant from the NH Estuaries for the purpose of conducting Conservation Easement documentation updates and monitoring. Mr. Ganotis explained that the grant, in the amount of approximately \$8,000, would be forwarded from the State directly to Conservation Biologist, Chris Kane, who is serving as a consultant for the North Hampton project.

**Motion / Vote: Mr. Marsh made a motion to accept the grant of approximately \$8,000 from the NH Estuaries project to conduct conservation easement documentation updates and monitoring with the funds being directed to consultant Chris Kane, a Conservation Biologist. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.**

F. Pandemic Memorandum of Understanding (MOU) Discussion

Ms. Creighton stated that after being asked by Fire Chief, Lambert to sign Pandemic Memorandum of Understanding (MOU) with the Portsmouth Area Emergency Planning Team, she met with Mary Cook, Portsmouth Public Health Coordinator and discussed their regional planning team's purpose and efforts. During this discussion, Ms. Cook informed Ms. Creighton that Portsmouth had 10 years of experience in this area and that Exeter was just starting to develop a team and had not gotten Exeter Hospital on board with them yet. Ms. Creighton informed Ms. Cook that because Chief Lambert advised that the Town sign the MOU that she would do so to help them meet the State's June 9th deadline but with the knowledge that if at the next BOS meeting it is decided to not belong to their region, North Hampton must be able to withdraw from their region without any problems. Ms. Cook assured Ms. Creighton that whatever the BOS decided would be what would stand with them. Ms. Creighton also passed on the website, [pandemicflu.gov](http://pandemicflu.gov) in case anyone wanted to view their website for more information.

Fire Chief Tom Lambert spoke about the Town's plan for a pandemic outbreak. He advised the Board that the signing of the Memorandum of Understanding does not commit the Town to expend any funds. Chief Lambert advised the Board that he has appointed Firefighter Phil Sutton to serve as North Hampton's pandemic outbreak coordinator.

General discussion ensued concerning the steps that have been taken thus far to address a potential pandemic outbreak.

**Motion/Vote: Mr. Gould made a motion to ratify Ms. Creighton's earlier actions of signing the pandemic Memorandum of Understanding. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.**

G. Ms. Janet Knowles – Water Drainage

Ms. Knowles addressed the Board, citing the fact that in approximately 1942, her husband had developed a "development" in the Woodknoll / Birch Rd. area. This development did not include one particular lot, the lot now owned by Mr. Don Little.

Ms. Knowles expressed that at the time the Town accepted this area; she understood that the Town would pave the roads but not accept responsibility for the drainage. She further advised that the area where Mr. Little's home is located was a gravel pit years ago.

Mr. Donald Little was present and spoke to the Board about the high water problem he is experiencing. He distributed photographs that illustrated to the Board the water levels currently experienced on his property.

Mr. Little complemented Town personnel for being helpful in assisting him with the pumping of water from his property, working to mitigate the high water levels around his home. There was discussion that despite the pumping efforts, the water continues to rise with speculation that the water table is simply very high following the excessive rainfall experienced in May and early June.

Mr. Little discussed the drainage of storm water, stating his concern that the storm water was draining on to his property.

Richard Mabey, North Hampton Code Enforcement Officer, spoke of the fact that Mr. Little's home sits in a recessed area, the area described by Ms. Knowles as an old gravel pit. Mr. Mabey, referring to elevation maps, pointed out that Mr. Little's home sits anywhere from 20-30 feet below road grade.

Mr. Little asked the Town to consider redesigning the drainage in the Woodknoll and Birch Rd. areas. Mr. Mabey stated that this would result in considerable expense, requiring the services of the Town engineer and other subject area experts and that there is no clear indication that changing the drainage plan would eradicate the issue with the Little property. More discussion ensued relative to drainage plans and property easements etc.

Road Agent Bob Strout spoke, citing that since May 1, North Hampton has received 31.85" of rainfall. He stated further that this much rain, in a short period of time, is highly unusual and that the water table is unusually high.

Mr. Gould expressed concerns about whether or not the Board of Selectmen has the authority to expend Town funds to remedy a problem on private property. He further stated that it is likely that if a reconfiguration of the drainage system is deemed to have some value to bringing relief to this situation, the matter would need to come before voters at the Annual Town Meeting in March.

Ms. Creighton cited that the RSA is clear that public monies can not be used for private interests. She added that after listening to the comments from residents and Town department heads, it's clear that the Board needs to discern who is the responsible party.

Mr. Marsh suggested the Town seek legal advice on this matter. He stated concerns he has with pumping water from one parcel of private property on to another private property parcel.

Additional discussion ensued regarding this situation, including some concern being expressed about the potential for a high concentration of mosquitoes due to the standing water on Mr. Little's property.

Mr. Strout reminded those in attendance that at the time the sub-division plan was presented to the Town, the drainage plan was included in this plan. At that time, the Town accepted the plan as offered, the plan having been developed by certified, qualified engineers.

Mr. Stan Knowles spoke in agreement with Mr. Gould's previous comments, indicating his belief that the Town cannot expend funds of this (potential) magnitude without Town meeting approval. Mr. Knowles went on to say, however, "that he believed the Board did have the power to expend funds in emergency situations involving public health and welfare situations", citing past issues related to the Coakly landfill matter.

Ms. Creighton asked her fellow Board members to state how they would like this matter addressed.

Mr. Gould stated that he feels the Town should consult with legal counsel regarding the Town's responsibility and obligation to address a water issue on private property.

Mr. Marsh inquired as to whether or not the Town should seek the services of the National Guard for pumping assistance.

Ms. Creighton asked Mr. Pardue if he would get a legal read on this situation. Mr. Pardue advised that he would ask the Fire Chief and Code Officer to contact the National Guard to determine if they can offer assistance in pumping the site, that he would ask that legal counsel be consulted on this matter and also ask that the Town's mosquito control provider is contacted and ask that they provide added attention to the area in question. The Board also asked that FEMA be contacted in regard to this matter.

#### H. Town Office Sign Board

Ms. Creighton stated that her only concern regarding the posting of signage on the Town sign board was that there be caution exercised while acknowledging Town employees efforts. Ms. Creighton cited that she just wanted to insure that the messages posted did not give the appearance that the employees are congratulating each other.

It was the consensus of the Board that messages proposed for posting continue to be coordinated through the Town Administrator.

#### I. Introduction of New Fire Department Employee

Fire Chief Tom Lambert introduced Firefighter Ryan Booth, a new member of the North Hampton Fire Department. Chief Lambert provided the Board with an overview of FF Booth's professional background and credentials. The Board welcomed Ryan Booth to North Hampton.

J. Mary Herbert Room – Occupancy Capacity

Fire Chief Lambert advised the Board that the fire department staff had recently re-measured the Mary Herbert Room to determine allowable occupancy levels. He explained that this is an on-going safety function of the fire department. Chief Lambert advised the Board that the maximum allowable capacity is 42 persons. Chief Lambert advised the room will be so posted and that he has asked that fire department personnel monitor meeting levels to insure compliance.

K. Questions and Comments on Above Topics

None.

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

**Motion / Vote: Mr. Marsh 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. Mr. Gould seconded the motion. Motion passed unanimously 3-0.**

**Motion / Vote: Mr. Gould made a motion to reconvene the public portion of the meeting at 8:57 p.m. Mr. Marsh seconded the motion. Motion passed 3-0.**

**IV. Administration / Business**

A. Town Administrator's Report

1. FD – Continuing to assist residents with pumping of basements etc.
2. FD – Currently fully staffed for first time in many, many months
3. FD – Chief attending Fire Chiefs conference 6/21-6/26
4. PWD – Continuing to gravel road shoulders that were damaged during recent rain storms
5. PWD – Bob on vacation week of 6/19
6. PWD – Bulky container – a second container is planned for mid July. Cost, with staffing etc. is approximately \$3,200. The mid July date is planned as many residents have yet to remove items from flooded areas such as basements etc. Need some time to dry-out
7. CEO – Walnut Rd. "junkyard" matter – RFP's are in and on 6/12 agenda

8. CEO – Has contacted the owner of the many tires Mr. Kroner complained about on Cedar Rd. Owner due to speak with Red this week about an action plan for tire removal
9. CEO – Addressing 10 Cherry Rd. driveway issues – deed dates etc.
10. CEO – Trying to assist with arranging (1) more meeting of Old Town Hall Committee with the hope of the committee “organizing” so they can move forward with their charge
11. TA – BAN applied for – working with Citizens and Bond Counsel – hope to receive a quote from TD BankNorth too
12. TA – FY 2005-2206 is nearing closure. We are on target with 12.29% funding remaining with a need for approximately 8%. However, we are experiencing O.T. due to the storm, vacations and we are paying FF stipends for call-back etc. We will be “tight” but should end the year on budget
13. BOS – Please remember Payroll, Manifest, Veteran Exemptions and Abatement Requests. Please see Jan Tuesday / Wednesday – thank you.

Ms. Creighton inquired about the status of the C.A.T.V. Committee. Mr. Marsh, the Boards representative to this committee, stated that he is having difficulty finding parties interested in serving. He stated that to date, only one interested citizen has come forward.

#### B. Correspondence

None.

#### C. Approval of Meeting Minutes

**Motion/Vote: Mr. Gould made a motion to approve both the public session and non-public session meeting minutes of April 24, 2006 as written. Ms. Creighton seconded the motion. The vote was 2-0-1 with Mr. Marsh abstaining as he was not present at the 4/24/06 meeting.**

**Motion/Vote: Mr. Gould made a motion to approve both the public session and non-public session meeting minutes of May 22, 2006 as written. Mr. Marsh seconded the motion. The vote was 2-0-1 with Ms. Creighton abstaining as she was not present at the 5/22/06 meeting.**

#### D. Payroll

The Board will be reviewing payroll documents on 6/13 at the Town office.

#### E. Manifest

The Board will be reviewing manifest documents on 6/13 at the Town office.

F. Other Business

None.

**V. Adjournment**

Being no further business to come before the Board, Mr. Gould made a motion to adjourn at 9:17 p.m. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.

Respectfully submitted,

Michael Pardue  
Town Administrator