

Board of Selectmen  
Minutes of 11/27/06  
**APPROVED 01-29-07**

**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. Update on Pickering Property – 67 Lovering Road**

Ms. Creighton provided an overview of the topic. She referenced that the Code Enforcement Officer, Richard Maybe, had issued a Notice of Violation to Jackie and Linda Pickering of 67 Lovering Rd., citing that they must immediately “cease & desist all junkyard activities as defined by RSA 236:112 within twenty days of receipt of this Notice”. The Notice of Violation displayed a date of November 27, 2006.

The complainant, Mr. Jim McCarthy, of Lovering Rd. was present and stated that he had heard from Mr. Mabey and that he, McCarthy, was in receipt of the complaint form that had been forwarded to him by Mr. Maybe. Mr. McCarthy stated that he would complete said form soon as he had been busy at his work and had not yet had time to do so.

Mr. McCarthy thanked the Board for their efforts in this matter.

**B. Recycling Center Operation Discussion – ABC Container Service – Mr. Pat Norton**

Mr. Pat Norton, owner of ABC Container Service, addressed the Board. Mr. Norton verbally proposed to the Board that his firm would be willing to operate the Town’s Recycling Center at no cost to the Town, provided that he be allowed to bring anywhere from 1-4 tractor-trailer type vehicles into the site on a daily basis. Mr. Norton stated that it would be his intent to open and operate the Cherry rd. site six days per week.

Mr. Gould asked Mr. Norton to clarify that his proposal would include:

- Operating and managing the Town’s Recycle Center
- Operate ABC Container Service on the same site

Mr. Norton confirmed that these statements were accurate. Mr. Gould expressed concern about allowing a commercial venture to operate in a residential setting.

Mr. Marsh concurred with Mr. Gould, citing that it is problematic for the Town to allow a commercial enterprise to operate in a residential setting.

Ms. Creighton echoed Mr. Gould and Marsh's concerns to include asking Mr. Norton to explain his statement of tractor trailer trucks coming into that area.

Mr. Norton further explained to the Board his intent to place a "temporary building" on the site. Mr. Norton clarified the purpose of the building and the style of the construction proposed. He further explained that the "temporary" structure would allow for easy dismantling, should it be deemed by the Town and/or himself that the relationship was not working out.

After topical discussion, the consensus of the Board was that if Mr. Norton wished to pursue his proposed endeavor, he would first have to appear before the Town's Planning Board.

#### C. Response to Letter From Macquarie Utilities, Inc.

The Board reviewed a letter, dated November 10, 2006, received from Mr. Christopher J. Leslie, President and CEO of Macquarie Utilities, Inc.

Ms. Creighton stated she believes the Board should respond to the letter.

Mr. Marsh addressed the content of the letter, stating that he believes the Town should wait until sometime after the Special Town Meeting vote scheduled for December 19, 2006 to respond.

Mr. Gould stated that he feels the Board and the Water commissioners should meet with the "new owners" of "our" water company. He stated that he felt the meeting should occur sometime after the December 19 vote. Mr. Gould stated that he feels the Board should respond back, in writing, to Mr. Leslie.

Consensus of the Board is to respond and suggest a meeting sometime after the holidays. Ms. Creighton agreed to author the response.

Mr. Robert Landman, Water Commissioner, advised the Board that the Commissioners had received a request from Aquarion for a copy of the PowerPoint presentation used at the November 14, 2006 deliberative session. Mr. Landman advised that the presentation had been made available to Aquarion officials and that it is at the Town office awaiting pick-up. He further stated that the Commissioners had, in turn, requested well flow documents from Aquarion and that Aquarion stated they would need to confer with the legal counsel prior to determining whether or not they would release such information.

D. Review of Draft Operating Budget (Accts: 4130, 4140, 4150)

The Board reviewed the 4130 account section, agreeing to a figure of \$10,500 for annual compensation of the Board ( \$3,500 each annually).

**Motion / Vote: Mr. Gould made a motion to change the annual compensation of each Board of Selectmen member to a wage of \$3,500 annually. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.**

The Board requested Mr. Pardue provide them with an expense report illustrating the expenditures drawn for the Selectmen's Miscellaneous budget line 4130-10-690.

The Board next discussed the Town Clerk / Tax Collector portion of the budget with the discussion focused on the rate of hourly compensation for the combined Town Clerk / Tax Collector position, the Deputy Town Clerk / Tax Collector position and the Clerical Assistant position in this budget area.

Ms. Creighton stated that based on the LGC's Wage, Salary and Benefit Survey she thinks that the compensation for the elected Town Clerk / Tax Collector combined position should be in the area of \$20-\$25 per hour. Mr. Gould and Mr. Marsh expressed that they felt the position should be compensated at the rate of \$30 per hour minimum, acknowledging that the position does not have benefits associated with it and that the person elected to the position must reside in North Hampton.

Much discussion ensued with reference being made to the Local Government Center Wage, Salary and Benefit Survey booklet.

Ms. Creighton stated that she views the functions of these two positions as "automated" and defined by the RSA's (State Statutes).

Following more discussion, it was the consensus of the Board that the rate of \$30 p/hr (30 hours weekly) be budgeted for the TC/TX elected position, \$18 p/hr for the Deputy TC/TX position (20 hours weekly) and \$15 p/hr for the Clerical Assistant position (20 hours weekly).

The Board discussed the budget items found in the Acct: 4150 portion to include the positions of Administrative Assistant, Tax Collector, Treasurer and the Technology portion of the budget.

The Board discussed the proposed 5% increase to employee wages for the 2007-2008 budget period.

E. C.E.L.P. Grant – Mr. Chris Ganotis, Chair of Conservation Commission

Mr. Chris Ganotis, Chair of the North Hampton Conservation Commission addressed the Board regarding Coastal Estuarine Land Conservation Program (CELP) Grant in the amount of \$1, 400,000.00 dollars.

Mr. Ganotis requested the Board of Selectmen approve the receipt of said grant funding and approve the purchase of eighty-four (84) acres of conservation land located directly adjacent to the Sagamore Golf Course. Mr. Ganotis described the land as located within the Town of North Hampton and bordering the Town of Greenland.

**Motion/Vote: Mr. Marsh made a motion to accept the CELP grant funding in the amount of \$1,400,000.00 dollars and to authorize the purchase of the 84 acres of land as described by Conservation Chairman Chris Ganotis. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.**

#### F. C.A.T.V. Channel 22 Update

Ms. Creighton advised the Board that Channel 22 is now operational. Ms. Creighton credited Ms. Laurel Pohl, Mr. John Anthony Simmons, Mr. Robert Landman, Mr. Brad Gregg, Mr. Charlie Brindamore, Mr. Brad Jett and Mr. Henry Marsh for their efforts in bringing this effort to fruition.

#### G. Tax Rate Discussed

Ms. Creighton raised a question related last years warrant article for Road reclamation in the amount of \$190,000.

Considerable dialogue ensued, concluding with the Board asking Mr. Pardue to contact Ms. Jamie Dow of the Department of Revenue Administration (DRA) regarding the manner in which this Capital Reserve account is handled each year by the DRA.

Mr. Gould spoke in regard to a recent newspaper article that appeared regarding the Board's posture in relation to the recently established tax rate.

Mr. Gould cited the guidance the Board received from Ms. Jamie Dow of the DRA, Ms. Peggy Neves, North Hampton Tax Collector and Town Administrator Pardue, each suggesting the Board not reduce the tax rate or hold the tax rate level, an act that would actually result in the Town's portion of the overall tax rate declining.

Ms. Creighton stated that she believes the boards decision to not keep the taxes level this year was a missed opportunity to give taxpayers a break this year.

Much dialogue ensued regarding the tax rate setting process and the newspaper reports.

#### H. Questions & Comments on Above Topics

Mr. Ron Dupuis asked the Board about the posting of Water Commission meeting minutes on the Town's web site. Mr. Robert Landman, a Water Commissioner was present and responded to Mr. Dupuis that the "unapproved" minutes are available pursuant to RSA 91-a requirements.

Ms. Cynthia Swank asked about the need training budget for the Tax Collector position, citing that when ms. Neves retires there will be a steep learning curve for the incoming person. The Board asked Mr. Pardue to review the funding allocated for this position.

Mr. Landman voiced concern that the Sate DOT recently applied road markings incorrectly. Certain passing / no passing zones were omitted or improperly marked according to Mr. Landman.

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

**Motion / Vote:** Mr. Gould made a motion to temporarily adjourn the meeting at 9:00 p.m. for the purpose of entering into non-public session under the provisions of RSA 91-A:3 II (d, e) to discuss the Acquisition, Sale or Lease of Real or Personal Property and a legal matter. Mr. Marsh seconded the motion. Motion passed unanimously 3-0.

**Motion / Vote:** Mr. Marsh made a motion to reconvene the public portion of the meeting at 9:52 p.m. Mr. Gould seconded the motion. Motion passed 3-0.

**Motion / Vote:** Mr. Marsh made a motion to authorize the Chair to sign a Real Estate Exchange Agreement and Amendment #1 to the Agreement between the Town of North Hampton and Pea Patch LLC. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0

Discussion ensued regarding the Boards position statement on the upcoming Special Town Meeting Article #2.

**Motion / Vote:** Mr. Gould made a motion authorizing the Chair to publish the Boards writing regarding the granting of the 57 woodland rd. Conservation Easement to a third party. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.

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

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

Mr. Pardue provided the Board with an overview of various ongoing activities being performed by the Department Heads to include:

- Christmas Parade – 12/2/06
- Santa Visit – 12/9/06

- Web Page upgrade underway allowing more web site control
- Notice of Violation issued by Code Officer re: Lovering Rd. matter
- Patching and graveling of road shoulders completed
- Head Librarian Pam Schwotzer retiring 12/4/06
- PD cruiser that was struck to be repaired – insurance check received
- Generator “start-up” to occur in mid December
- Chief Page coordinating NIMS training for Town personnel to include Board of Selectmen

B. Correspondence

NONE.

C. Approval of Minutes

**Motion/Vote: Mr. Gould made a motion to approve the meeting minutes of October 16, 2006 and October 18, 2006 as written. Mr. Marsh seconded the motion. The vote was unanimous and so moved 3-0.**

**V. Adjournment**

Being no further business to come before the Board, Mr. Marsh made a motion to adjourn at 10:12 p.m. Mr. Gould seconded the motion. The vote was unanimous and so moved 3-0.

Respectfully submitted,

Michael Pardue  
Town Administrator