

Approved: May 14, 2007

Minutes
North Hampton Board of Selectmen
April 23, 2007

Present: Emily Creighton, Chair; Don Gould and Craig Salomon, Selectmen.

Chairwoman Creighton called the meeting to order at 7:05 PM.

Phil Wilson, Chair of North Hampton Forever made a presentation concerning the proposed acquisition of a conservation easement from Cindy Jenkins whose property is located on Exeter Road (Map 9 Lot 33; approximately 25 acres). He explained that the plan was to make an application for a grant from the Farm and Ranch Lands Protection Program (“FRPP”) which is administered by the United States Government’s Commodity Credit Corporation (“CCC”). The acquisition of the easement will be contingent upon receipt of the grant. The total purchase price would be \$450,000 with the FRPP grant being \$215,000 and North Hampton Forever paying the balance of \$235,000, plus an additional \$10,000 for expenses which include appraisals, attorney’s fees and related closing costs. Mr. Wilson explained that things are moving very fast and that an early summer closing is anticipated.

He also pointed out that the Town’s share of the easement purchase price would be funded pursuant to the existing North Hampton Forever bond authorization and, further, that the entire Four Million Dollar authorization will likely be spent by the end of the summer of 2007 as a consequence of this and other projects in the pipeline.

Finally, Mr. Wilson explained that the Rockingham County Conservation District will assume responsibility for the required monitoring of the property. Monitoring is required by the Cooperative Agreement between the CCC and the Town. Mr. Wilson had earlier provided BOS members with copies of the proposed Agreement which they had reviewed. Several questions about the Agreement’s terms were asked and answered by Mr. Wilson as well as by Chris Ganotis, Chair of the Conservation Commission—most significantly about the contemplated “reimbursement” method of payment by CCC and the desirability of ensuring that the reimbursed funds did not fall into the general fund, but instead were retained as conservation funds. Mr. Ganotis cited to RSA 36-A:5 which provides that the Conservation Commission may receive funds for conservation purposes and may accumulate them from year to year.

Pursuant to two motions by Mr. Gould, both seconded by Mr. Salomon, Chairwoman Creighton was unanimously authorized to sign a letter of support for the proposed acquisition and the Board signified its support for proceeding with the grant application.

Next, Mr. Wilson and Mr. Ganotis made a presentation concerning the proposed fee acquisition of a 2.8 acre parcel of land owned by the United Church of Christ (Map 2

Lot 68) located south of Atlantic Avenue between Mill and Woodland Roads, one of the so-called “twelve share” lots. The agreed purchase price is \$30,000. Although appraisals for the parcel ranged from a low of \$25,000 to \$39,000, North Hampton Forever believes that \$30,000 is the fair market value inasmuch as the Church has two pending offers from different potential buyers, each willing to pay \$30,000 for the parcel. It is contemplated that the closing will take place by May 31, 2007.

On motion by Mr. Gould and seconded by Mr. Salomon, the Board unanimously approved the purchase of this parcel of land from the United Church of Christ for conservation purposes.

At 7:30 PM, on motion by Mr. Salomon and seconded by Mr. Gould, the Board voted to enter into non public session for purposes of meeting with its attorney to discuss several matters involving the proposed acquisition of real estate or interests in real estate.

At 7:55PM, on motion by Mr. Salomon and seconded by Mr. Gould, the Board reconvened in public session.

After a brief discussion and on motion by Mr. Salomon and seconded by Mr. Gould, the Board unanimously voted to set the beach sticker price at \$20.00, which is the same price as last year.

After brief discussion and on motion by Mr. Gould and seconded by Mr. Salomon, the Board unanimously approved proposed by laws for the Recreation Commission adopting changes suggested by Chairwoman Creighton.

There then followed a lengthy conversation concerning the proposed Atlantic Avenue sidewalk project. After a briefing by Bob Landman, Chair of the Sidewalk Construction Committee, and discussion about the recently received bids for Project Engineer work (including comments by Ed Kelley of Sea Coast Engineering—one of the bidders), and on motion by Mr. Salomon and seconded by Mr. Gould, the Board voted unanimously not to accept any of the three bids because of uncertainty about the scope of work requirements. Chairwoman Creighton will send letters to each of the bidders, thanking them for their bids, informing them that we are not proceeding with the project until the scope of work is clearly defined and that, once that is accomplished, a new RFP will be issued and notice will be provided in the usual manner.

There was more discussion about the project in general and concerns were expressed by all about right of way acquisition issues, costs, plowing and citizen participation. Although no vote was taken, it was the sense of the meeting that no work will be undertaken or expenses incurred until such time as the Board is satisfied that all affected property owners have signified their consent by signing appropriate legal documents authorizing the construction of the sidewalk on their properties. Chairwoman Creighton will contact Joan Breen to solicit her assistance in obtaining such consents.

Next, the Board discussed the issue of a job description for the Full Time Town Administrator. It was agreed that both Mr. Gould and Mr. Salomon will provide their comments on Phil Munck's draft to the Chair who will incorporate those comments along with her comments into a revised draft which would then be discussed at the next meeting of the Board. Following that, the revised draft would be circulated, at a minimum, to the Planning Board and Budget Committee for their input.

Paving bids were then opened. They were as follows:

Bell & Flynn, Inc. Stratham	\$57.90/Ton
Pike Industries, Inc. Portsmouth	54.78
Brox Industries, Inc. Dracut, MA.	57.10
Jamco Excavators, Inc. South Hampton	68.50

The bids will be forwarded to Bob Strout, Road Agent for his review and recommendation.

On the recommendation of Phil Munck, Interim Town Administrator, and on motion by Mr. Gould and seconded by Mr. Salomon, the Board unanimously approved and accepted a proposal from Seacoast Engineering, LLC for engineering services for the preparation of the Design-Build contract and specifications for the highway building and salt shed that will be designed and built by the selected contractor and to also review and evaluate bid proposals. Seacoast Engineering, LLC will provide these services at its normal hourly rates with the condition that its total bill(s) for services will not exceed \$6,960.

Chairwoman Creighton then read a notice from the Mosquito Control Commission advising residents that mosquito spraying will begin on April 23. The notice will be published on Channel 22 and posted in the Clerk's office.

Next, the Board acknowledged receipt of a letter from Joe Fitzgerald concerning the flooding of his residential property on North Road. The letter requests that the current culvert be enlarged and also requests a response from the Board. Chairwoman Creighton recommended, with Mr. Salomon's agreement, that Mr. Gould discuss the matter with Bob Strout, Road Agent and communicate with Mr. Fitzgerald as well as report findings to the Board.

The Board then considered a request from local Democratic State Representatives to use the Town Hall for purposes of conducting a public forum for the benefit of North Hampton Citizens. Upon motion by Mr. Salomon and seconded by Mr. Gould, the Board unanimously agreed to waive the customary fee. The Board also discussed the policy implications of such meetings. It was also agreed by the Board that Republican officials would likewise be entitled to hold such a forum if they wished but that the use of public property by any public officials or other persons would be limited to informational/educational affairs that served the public interest and that no political activities would be permitted on public property.

The Board next took up the issue of payment of public officials. It was agreed that Mr. Gould will notify Jan Facella, Town Administrative Asst. that Susan Haliday Smith, Deputy Treasurer, should be paid for her services through March 31, 2007, and thereafter on a monthly basis for so long as she serves. Mr. Gould will also coordinate with Ms. Facella to ensure that other newly elected and appointed officials are being paid on a regular basis.

The last item considered was the March 31 Expense Report. Chairwoman Creighton expressed a need for overrun accountability on individual line items in the Town budget. After discussion and motion by Mr. Salomon and seconded by Mr. Gould it was unanimously voted to require Department Heads to provide an explanation to the Board whenever a line item is exceeded by 20% or more *and* the total excess amount is equal to or greater than \$2,000. It was also agreed that when the new Full Time Town Administrator is in place that he/she shall provide the Board with a monthly variance report explaining why line items are over budget.

There being no further business, the meeting was adjourned at 10:00PM on motion by Mr. Salomon and seconded by Mr. Gould. The vote was unanimous.

Respectfully Submitted,

Donald B. Gould
Acting Secretary

April 24, 2007.