



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE
SELECT BOARD

MINUTES-APPROVED 08/17/2009
REGULAR MEETING – MONDAY JULY 13, 2009 –7 PM
MARY B. HERBERT CONFERENCE ROOM

These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription

1. **Non-Public Session – 6:30 in the Executive Conference Room 2nd Floor pursuant to RSA 91-A:3 II (a - compensation, b – hiring , c - reputation)**
2. **Call to Order & Call of the Roll**

Chair Salomon called the meeting to order at 7:10 PM. Those in attendance were Selectman Coutu, Selectman Rineman and Town Administrator Fournier.

Motion by Selectman Coutu to seal the minutes from the non-public session.

Seconded by Selectman Rineman. Motion carries 3-0.

Chair Salomon stated on behalf of the Board, he invited those who wish could join them in the Pledge of Allegiance.

Town Administrator Fournier confirmed with the Board that the meeting had been properly posted.

3. **Consent Calendar¹**

Motion by Selectman Coutu to approve the Consent Calendar. Seconded by Selectman Rineman. Chair Salomon called for a vote for those in favor of items 1 – 19. Motion carries 3-0. Chair Salomon called for a vote for those in favor of item 20. Motion carries 2-0-1 with Selectman Coutu abstaining.

Chair Salomon stated that with his colleague's permission he would like to change the order of the agenda and start with item 4.3. All Board members were in agreement.

THIS LOCATION IS HANDICAPPED ACCESSIBLE. THOSE WISHING TO ATTEND WHO ARE HEARING OR VISION IMPAIRED MAY MAKE THEIR NEEDS KNOWN BY CONTACTING THE AT TOWN HALL 964-8087

¹ These items are routine in nature and are approved without discussion. Should a member of the Board request to have an item removed, it shall be placed on the agenda under new business. The consent format is to expedite the business of the Board when adequate backup material has been provided.

33 **4. New Business**

34 4.1.Appointment of B. Copp – Agricultural Commission

35 Chair Salomon noted that the agenda should read “R” Copp not “B” Copp as Mr. Copp’s first
36 name is Robert.

37 **Motion by Selectman Coutu to appoint Robert Copp to the Agricultural**
38 **Commission for a term to expire May, 2011. Seconded by Selectman Rineman.**
39 **Motion carries 3-0.**
40

41 4.2.Approval of Replacing Roof of Old Town Hall

42 Town Administrator Fournier stated that the Old Town Hall Committee had met with
43 Emmanuel Engineering regarding the Town Hall and it was determined by the engineer
44 that the roof needs to be replaced. The Old Town Hall Committee recommended that the
45 same company (Langley) that replaced the Bell Tower in the Town Hall perform the work as
46 they were familiar with the building. Langley Construction’s bid was \$67,960.
47

48 Selectman Coutu asked if the Town was mandated to go out to bid, and Town Administrator
49 Fournier stated that it was the decision of the Select Board whether or not to, as the Select
50 Board can waive the bidding process if they feel that there is a specialized vendor who
51 would be appropriate to do the job.
52

53 This item was tabled until the July 20, 2009 Select Board meeting when the Building
54 Inspector Red Mabey and Fred Emmanuel from Emmanuel Engineering company could go
55 over the engineering report with the Board, as well as address their questions and concerns.
56 Both Chair Salomon and Selectman Coutu expressed their desire to have the project go out
57 to bid.
58

59 4.3.Wireless Communications Report – D. Kokernak

60 Mr. David Maxson, Managing Partner from the Broadcast Signal Lab spoke regarding the
61 status of wireless communication within the Town of North Hampton. Mr. Maxson is a
62 municipal wireless consultant working with Mr. Dennis Kokernak and his company Thera
63 Research. Mr. Maxson has spent a number of years assisting Mr. Kokernak in identifying
64 ways to provide wireless service in the town that is compatible with the character of the
65 community and still provide wireless service to everyone.

66 Mr. Maxson reported the status of the current cell tower coverage in Rye, Walnut Avenue,
67 South Road and the Route 111 coastal area. Mr. Maxson noted that most of the wireless

68 carriers are on the Rye tower, while North Hampton towers only have a few of the carriers,
69 with the tower on Walnut Avenue only having Verizon.

70 Mr. Maxson stated that Mr. Kokernak donated wireless amplifiers to the Police Department
71 to improve cellular coverage to 100% while in the police cruiser. Dispatch communication
72 has also improved due to the repeater that was placed on the Rye water tower.

73 The police department now has two reliable sets of communications to cover communication
74 throughout the town. Mr. Maxson showed the Board a map of the town and where cell
75 coverage is less than optimal. He further stated that the town's cell tower ordinance
76 anticipated the DAS (distributed antenna system) before it became popular, and withstood
77 two court challenges in not allowing towers to be placed in areas that are more serene,
78 scenic and residential.

79 Thera Research has been in touch with wireless carriers, and has had lots of conversations
80 with people that build various components of wireless antennas in a Brookline, Mass.
81 facility. Mr. Maxson noted that 17% of the population are not using land lines anymore.

82
83 Chair Salomon thanked Thera Research for their hard work over the years. He also
84 thanked members of the Planning Board and Bob Landman for their hard work on writing
85 the ordinance.

86 87 4.4. August Meeting Schedule – C. Salomon

88 Chair Salomon requested to have the August meetings dates changed to the 17th and the
89 31st. Selectmen Coutu and Rineman were in agreement.

90 91 4.5. Approval of Request for Proposal for Town Campus Study

92 Chair Salomon stated that the Board had met and given permission for Town Administrator
93 Fournier to have a Request for Proposal drawn up regarding a town campus study, and
94 then be subject to public input. He further stated that he had read through the proposal
95 and didn't have any questions.

96 Selectman Rineman stated that the design build type services were used when the school
97 was being redone in 1998, and being involved in the process feels it is a very effective way to
98 do this. Selectman Rineman stated that the experts come in and speak to the various
99 entities, find out what their needs are, and then they have the capability to put forth a
100 proposal.

101
102 Selectman Coutu questioned the timing of the proposal and whether this is the right time
103 for such a project given that this is the toughest economic times since the Depression.

104
105 Chair Salomon stated that he has observed during the past five years of his service to the
106 town, that the town has been looking at what to do with the town center for some time. In
107 addition to the 2001 study, both police and fire studies addressed facilities needs. Chair
108 Salomon stated that while he can appreciate the need to be fiscally conservative, delaying
109 the planning process may find the town “behind the eight ball.” Planning and visioning does
110 not commit the town to a bond, and he felt it would make sense for the town to go forward
111 and that he supported the process.

112
113 Selectman Rineman reiterated that having the study done we will have idea of what the cost
114 will be. Until we get experts opinion on the costs of doing the campus we are nowhere.

115
116 Chair Salomon stated that he felt a reference to the MRI facilities study should be included
117 in the request for proposal. He further stated that this item be tabled until their July 27
118 Select Board meeting after the Board has had an opportunity to look at the 2001 document,
119 and think about whether the board has inserted into the process proper input and control as
120 a starting point.

121
122 Lisa Wilson stated that there is quite a bit of space available in the town that should be
123 considered.

124 Laurel Pohl asked if the needs assessment that was done will be included.

125
126 Chair Salomon stated that the town administrative offices, the library as well as the records
127 retention issue, were left out of the first assessment and will be addressed in the study.

128
129 All members of the Board agreed to table this item and take it up at their July 27 meeting.

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131 Chair Salomon stated that the draft RFP is available at the town offices.

132 133 4.6. Capital Improvement Program – L. Pohl

134 Laurel Pohl apologized to the Select Board for not having completed the CIP policies and
135 procedures that the Planning Board has asked her to write. Ms. Pohl stated there were a
136 few technical difficulties, and asked if the Select Board would allow her to send it in at a
137 later time for their review and approval at a later meeting.

138 Chair Salomon stated that the Board would put this item on a future agenda for discussion.

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140 4.7. Waiver for Parking on Route 1A – D. Ebert

141 Dieter Ebert, a resident and business owner from North Hampton, came before the Select
142 Board and asked for a waiver of the current ordinance that does not allow parking along
143 Route 1A in North Hampton. Mr. Eibert stated that he was awarded the landscaping
144 contract with the Little Boar's Head District and that recently a police officer asked him to
145 move his vehicle and told Mr. Ebert that he could not park in the no parking area of Route
146 1A.

147
148 Chair Salomon asked Mr. Ebert if he had contacted the Commissioners of the District and
149 he said that he only spoken with Mr. Hamilton.

150
151 Chief Brian Page stated to the Board that he had a conversation with two of the
152 commissioners of Little Boar's Head, and that one said he wanted Mr. Ebert to park there,
153 the other stated he did not.

154
155 Chief Page explained to the Board that the State Statutes cannot be waived by him or the
156 Select Board. He further stated that the police department has been getting complaints
157 regarding the illegal parking.

158
159 Chief Page stated that Mr. Ebert cannot be given permission to park there and not allow
160 others, and that if they were to grant a waiver he would recommend a complete repeal of the
161 town's ordinance which means anybody can park there. He further stated that parking is a
162 major issue in that area, and that the Police Department have received numerous
163 complaints from residents regarding people parking along Route 1A and leaving trash
164 behind, as well as making loud noise late at night.

165
166 Chair Salomon stated that the Select Board does not have jurisdiction in this matter, and
167 that it would be more appropriate to talk to all of the District Commissioners and request
168 that they talk to the State on Mr. Ebert's behalf.

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170 Chief Page stated that he had given Mr. Hamilton and Mr. Ebert an option that is
171 referenced in the NH State Statue 265:69 that allows for loading and unloading of
172 merchandise. He further stated that he has told Mr. Ebert he would allow that, but then his
173 truck must be moved and parked in someone's driveway.

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Chief Page reiterated that unless the Department of Transportation takes the “No Parking” signs down, there is nothing he can do to help Mr. Ebert as his department must enforce the law.

5. Items Laid on the Table²

5.1. Select Board Rules and Procedures

Chair Salomon stated that he needed to do some “homework” on this item.

5.2. Personnel Policy Review

Chair Salomon suggested having a couple of work sessions, but that the draft is available for review.

5.3. Review of Forms of Government

Town Administrator Fournier will have a report for the Select Board in August.

6. Report of the Town Administrator

Town Administrator Fournier stated that he had the pleasure of attending the plaque un-hanging of the NR-1 at the Portsmouth Naval Shipyard. Also in attendance were Selectman Rineman and Recreation Director Diane Wheeler. The NR-1 was decommissioned earlier than had been expected. The NR-1 crew thanked Town Administrator Fournier for hosting them in North Hampton and that they were very appreciative of everything that was done for them. Town Administrator Fournier stated that he wanted to publicly thank Diane Wheeler for all of her efforts, and that he felt she was almost a member of the submarine due to her relationship with the men on board NR-1. He further stated that the work that Ms. Wheeler put into all of the events she prepared was phenomenal.

Town Administrator Fournier briefed the Board on the State Budget that was signed by the Governor and stated that this budget will see a significant reduction in revenues that the State shares with communities, as well as additional costs to the police and fire retirement contributions since the State reduced their contribution. The State also has indicated that they will be reducing their contribution further in Fiscal Year 2011.

Town Administrator Fournier reported that the Commission of the Department of Resources and Economic Development recently withdrew the first draft of the strategic plan for the State parks. The Commissioner felt there was too much negative impact on the possibility of divesting the properties. Town Administrator Fournier recommended that the town continue to pursue having

² Items laid on the table shall remain on the table until a member of the Board of Selectmen makes a motion to remove such item from the table.

North Hampton Beach returned to the Town or to enter into a different agreement with the State. The State has publicly said that they do not have the funds to continue to properly maintain the beach and maintain the rest of the parks in the State.

Town Administrator Fournier reported that the Chair of the Heritage Commission had sent a letter on the state of some of the records at the Town Hall. The Chair strongly suggested that several of the documents that the Heritage Commission has found should be preserved using museum-standard safe guards, as in acid free albums or files. The Chair of the Heritage Commission has been asked to see if funding is available, and that the current Town budget would be looked at to see if funds were available to assist with this project.

7. Minutes

7.1. Regular Meeting June 8, 2009

Chair Salomon stated he would like the minutes to reflect Dr. Arena, not Mr. Arena. He further stated that he would like changes made to line 228 to state that the amendment carries 2-0, line 229 to state that the Chair asked for a motion on the vote as amended, line 100 to state town compensating balance remain \$100,000 and delete and would, line 136 should state informed instead of informal, line 204 Dr. Arena not speaking as a representative to the Planning Commission, but the Planning Board, line 250 the Chair called the public hearing to order and stated he would read the complaint from Mr. Simmons and then ask Mr. Simmons to sign the complaint as the copy before him was not signed, line 258 add Mr. Simmons relied upon his written complaint, line 299 motion by Selectman Coutu, seconded by Selectman Rineman.

Chair Salomon also stated that Dr. Arena's comments need to be incorporated into the minutes as he made three or four specific points.

The Chair asked that the minutes be tabled until the July 27, 2009 meeting.

7.2. Regular Meeting June 22, 2009

Motion by Selectman Coutu to approve the minutes of June 22, 2009 as drafted. Seconded by Selectman Rineman. Motion carries 3-0.

7.3. Special Meeting June 29, 2009

Motion by Selectman Coutu to approve the minutes with changes and modifications given to lines 26, 58, 60 and 89 of the draft minutes. Seconded by Selectman Rineman. Motion carries 3-0.

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Selectman Rineman stated that the Select Board had received three letters from residents
247 thanking the Public Works Department for their efforts in the pickup of debris from the ice
248 storm and also for the paving on Pine Road.

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Chair Salomon asked that feasibility of televising the conservation commission meetings be
251 looked into.

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254 **8. Adjournment**

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Motion by Selectman Coutu to adjourn at 9:20 PM. Seconded by Selectman Rineman.

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Motion carries 3-0.

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