



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

SELECT BOARD

APPROVED MINUTES 05/10/2010

REGULAR MEETING – MONDAY APRIL 26, 2010 – 7PM
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. Call to Order & Call of the Roll

Chair Salomon called the meeting to order at 7:00 PM. Those present were Chair Salomon, Selectman Jon Rineman, and Selectman Don Gould.

Chair Salomon invited those in the audience to join the Select Board in the Pledge of Allegiance.

2. Non-Public Session – 6:30 PM in the Executive Conference Room 2nd Floor, pursuant to RSA 91-A:3 (e)

Motion by Selectman Gould that the Select Board accept the recommendation and implement the proposal for a 4% pay increase for the non union personnel for fiscal year 2011 as is set forth in the Town Administrator's memorandum dated April 26, 2010. Seconded by Selectman Rineman. Motion carries 3-0.

3. Consent Calendar¹

Motion by Selectman Rineman to approve the Consent Calendar. Seconded by Selectman Gould. Motion carries 3-0.

4. New Business

4.1. Approval of Community Garden – R. Copp, Agricultural Commission

Mr. Bob Copp reported to the Select Board that he asked Chief Page to check the traffic flow by the Marston Farm, and the Chief stated there were no issues, and that there is plenty of sight both ways, as well as getting in and out of Marston Farm.

Mr. Copp further reported that there were no restrictions on the deed, and that legal counsel has stated that there would not be a problem with a gravel driveway.

Mr. Copp stated that the size of the lots would be 12 x 20, and that there would be a fee to offset the costs of the rototilling.

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.

Motion by Selectman Gould to approve the establishment of a community garden at the Marston Farm with a \$20 fee for residents and employees of the town. Seconded by Selectman Rineman. Motion carries 3-0.

4.2. Approval in Change of Health Insurance Coverage for employees not covered by Collective Bargaining Agreement

Town Administrator Fournier recommended to the Select Board that the Town enter into an agreement with the Local Government Center to change the current 3-Tier Blue Choice coverage to a 2-Tier Blue Choice coverage as of July 1, 2010. Town employees (non union) would now be paying a \$20 co pay at the doctor's office, but benefits would remain the same. The cost will be less to the Town with this change.

Motion by Selectman Gould to authorize the Town Administrator to enter into an agreement with the Local Government Center to provide health care coverage for those covered by a collective bargaining unit in accordance with their agreements and for employees not covered with a 2-Tier Blue Choice program with a \$20 co-pay for health insurance and a \$10 co-pay for pharmaceuticals. Seconded by Selectman Rineman. Motion carries 3-0.

4.3. Zoning Board of Adjustment involvement with Staff

Chairman Salomon stated that this item is on the agenda at his request. He further stated that this matter has come to his attention both as a liaison of the Select Board to the ZBA and as a Select Board member, that a regrettable pattern of communication from one board member in particular with the Zoning and Planning Administrator, is in his opinion, inappropriate for a couple of reasons. The first reason being simply that she is an employee of the Town and is hired to do a job. The emails have been asking questions of her that are better directed to the Chair of the Zoning Board of Adjustment, or being either impliedly or directly critical of her performance, in which case the complaint should be addressed to the Town Administrator's office.

Chair Salomon asked Town Administrator Fournier if Mr. Field was notified that this item was on the agenda for this meeting.

Town Administrator Fournier stated that yes he had been notified along with all of the Zoning Board members.

Chair Salomon stated that it is his understanding that the Town Administrator has attempted to deal with this issue previously both directly with the member in question, and more generally with the Zoning Board, and Town Administrator Fournier stated that was correct.

Chair Salomon stated that subsequent to those actions, there was another incident that happened last week which is why he requested this item be placed on the agenda.

Chair Salomon stated that in his opinion the email was disrespectful and demeaning to the Planning and Zoning Administrator, and that the email is a matter of public record.

Selectman Gould stated that sadly this is a continuation of a pattern of conduct by Mr. Field that goes back to the early 2000's.

He further stated that the Board of Selectmen at that time fielded a number of complaints from prior Planning and Zoning Administrators about Mr. Field's conduct towards them. An investigation was conducted and as a consequence of negotiations with Mr. Field, he agreed he would no longer serve on the Zoning Board.

Management of the Town, the Town Administrator and the Board of Selectmen, have a legal obligation to protect town employees from a hostile work environment. When complaints are received the Board

has an obligation to do something about it. Demeaning conduct toward town employees must be stopped now.

Phil Wilson spoke to the Select Board and stated that in his 10 years involved in the Planning Board, Wendy Chase has unequivocally been an outstanding person and does an incredible job in the administrative aspects of assisting the Planning Board. He further stated that he believes all other members of the Planning Board feel the same way, as does members of the Zoning Board including Mr. Field whom Mr. Wilson has spoken with about this.

Mr. Wilson stated that the emails were written in a style that is characteristic of Mr. Field. He further stated that he knows for a fact that Bob Field has immense respect for Ms. Chase and the work she does.

Mr. Wilson stated that he feels the underlying problem is a disagreement between the elected members of the Zoning Board and the current chair of the Zoning Board on what the role of a chairman is. Mr. Wilson further stated that he felt it was unfair to try and convict Mr. Field when he wasn't present to defend himself.

Selectman Gould responded to Mr. Wilson's comments about trying and convicting Mr. Field, and his statement that there is no supporting evidence.

Mr. Gould stated that there is significant evidence from both people that are here that saw and understood what happened, including those that filed the complaints, and including the current Planning and Zoning Administrator, who has filed a number of complaints with the Town Administrator.

Selectman Salomon stated that during his remarks he welcomed the opportunity for Mr. Field to speak with the Board so he does not feel he has tried and convicted Mr. Field.

Laurel Pohl asked the Select Board if a complaint had been filed, and Town Administrator Fournier stated that it is a personnel matter and cannot be discussed.

Mr. Wilson stated that it is his recollection that Mr. Field's appointment ended concurrently with the time this issue was coming up in the past, and therefore he did not acquiesce as stated by Chairman Salomon.

5. Items Laid on the Table²

5.1. Select Board Rules and Procedures

Chair Salomon stated that there was nothing to take off of the table at this time.

6. Town Administrator's Report

Town Administrator Fournier reported to the Select Board that the Governor had released his plan to address the \$220 million shortfall in the State's biennial budget. He further reported the recommendations that the Governor has proposed. Reduction of Meals and Room Tax, State Aid and Education Funding and state contributions to the retirement system have been discussed.

Town Administrator Fournier reported to the Select Board that Dearborn Park had recently been updated with dugouts, a new baseball field, a picnic area and timbers to enclose the playground so that rubber chips would stay inside, a pergola to add more shade and more seating.

Timberland and Home Depot employees volunteered their time on this project, as well as town employees.

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

Channel 22 has been broadcasting a quick 15 minute overview of the various topics that are on the ballot for the May 11 election.

Storm debris collection from the windstorm of February started the week of April 5th and will take approximately eight weeks. Current highway personnel and equipment are currently being used to complete this project.

The following roads have been completed: Appledore Avenue, Pond Path, Boulter's Cove, River Road, Boutillier Lane, Runnymede Drive, Bradley Lane, Sea Road, Cedar Road, Ship Rock Road, Chapel Road, Willow Avenue, Maple Road, Woodland Road South, North Road East, Ocean Boulevard, Old Locke Road, and Park Circle.

7. Minutes

7.1 Regular Meeting April 12, 2010

Chair Salomon stated that he had a change to Line 117, misspelling of the word "ascents" On line 124 add "is a good one" to the last sentence.

Motion by Selectman Gould to accept the minutes of April 12, 2010 with the changes noted by Chair Salomon. Seconded by Selectman Rineman. Motion carries 3-0.

8. Adjournment

Motion by Selectman Gould to adjourn the meeting at 8:00 PM. Seconded by Selectman Rineman. Motion carries 3-0.

Respectfully submitted,

Janet L.Facella
Administrative Assistant