



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE
SELECT BOARD
MINUTES

REGULAR MEETING – MONDAY MAY 10, 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 Rineman, Selectman Gould and Town Administrator Steve Fournier.

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

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

2. Non-Public Session – 6:00 PM in the Executive Conference Room 2nd Floor, pursuant to RSA 91-A:3 II (a), (c)

Motion by Selectman Gould to come out of non public session. Seconded by Selectman Rineman

Roll call: Gould, aye, Rineman, aye and Salomon aye.

3. Consent Calendar¹

Selectman Rineman asked that items 2 and 5 be removed from the consent calendar in order to speak with the assessor's regarding those items.

Motion by Selectman Gould to approve items 1, 3 and 4 on the Consent Calendar. Seconded by Selectman Rineman. Motion carries 3-0.

4. New Business

4.1 Acceptance of Seacoast Harley Davidson Motorcycle – Chief B. Page

Chief Page stated to the Select Board that last week, Seacoast Harley Davidson had dropped off a 2010 Harley Davidson motorcycle, but that according to the MRI study that was done, this is considered a donation and it needs to be accepted by the Select Board, and the contract signed by someone other than the Police Chief.

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.

Chief Page explained that it is a lease agreement with no charge for the motorcycle, but there are some maintenance costs at 500 miles, 2,500 miles and 5,000 miles which amount to a total cost of approximately \$895 to the Town.

Selectman Gould asked about the terms of the lease and whether or not it was a six month agreement or one year, and also questioned the amount of \$895 for maintenance on the motorcycle. Chief Page explained that it is a one year lease, but that usually it is brought back after six months due to the weather. Chief Page further stated he doubted they would reach the 5,000 mile mark so costs would probably come in around \$469.

Motion by Selectman Gould to accept the six month lease from Harley Davidson and authorize the Town Administrator to sign the contract. Seconded by Selectman Rineman. Motion carries 3-0.

4.2 Signing of Warrenstreet Architects, Inc. Contract

Selectman Gould had questions on the standard design services agreement, and whether or not legal counsel had reviewed.

Town Administrator Fournier stated that legal counsel had reviewed as had the Building Inspector and the Public Works Director.

Selectman Gould asked whether or not the general terms and conditions contained on the last pages were necessary, and to see if the Town Administrator could get Warrenstreet to agree that they are not part of the contract.

Motion by Selectman Gould to accept the Warrenstreet contract with a revised date on it of May 5, 2010, and authorize the Town Administrator to sign it with the exception being what is being approved does not include the general terms and conditions. Seconded by Selectman Rineman. Motion carries 3-0.

At this point in the meeting, Chair Salomon stated that item 4.3 was being moved down to the end of the agenda and that a new item on the agenda would be presented at this time.

Motion by Selectman Rineman to appoint Michael Maddocks as Deputy Chief of Police as per the employment agreement. Seconded by Selectman Gould. Motion carries 3-0.

4.3 Presentation – Selectman J. Rineman

This item was moved to the end of the agenda.

5. Items Laid on the Table²

5.1. Select Board Rules and Procedures

Chair Salomon stated that he had hoped to have this done for tonight's meeting but that he did not.

5.2. Zoning Board of Adjustment Involvement with Staff

Chair Salomon stated that this item was on the last Select Board's meeting agenda, but that Mr. Field was given short notice to attend the meeting so he was given the opportunity to attend this meeting.

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.

Chair Salomon further stated that Mr. Field would not be attending but that he had sent the following email to the Town Administrator to be read into the record:

“Dear Steve-

As I believe you undoubtedly appreciate, the events reported by the press to have occurred on the evening of April 26, during the Town of North Hampton Select Board Meeting, were very troubling. Sufficiently so, that I opted to consult with legal counsel.

If the issue is one of misinterpretation by Ms. Wendy Chase of what I believed to have be benign informational gathering sequential E-Mails of April 20, 2010, which I authored in advance of my 2:30 a.m. trip to Chicago, then I am most interested in meeting privately with you and Ms. Chase to attempt to sort the matter out and extend an apology to both you and Ms. Chase as may, after more comprehensive discussion and explanation, be appropriate and due.

If, however and as counsel observes, the matter of concern is more political in its character and manifested by philosophical opposition to my firmly held professional belief that a member(s) of the North Hampton Zoning Board of Adjustment is/are acting ultra vires in the discharge of its/their, quasi-judicial public responsibilities, then counsel suggests that a public meeting on the 10th with the presently sitting Select Board is unlikely to be productive and should be avoided.

In any event, counsel observes that such a meeting on the eve of the Town elections (May 11) would, in all probability and based upon the events on April 26, be detrimental to the sacrosanct electoral process that the voters of North Hampton expect and deserve. I, therefore, respectfully decline to accept your invitation.

In closing, once again I make clear that my respect, both personally and in my capacity as an elected member of the Zoning Board of Adjustment, for Wendy and the professional manner in which she discharges her duties as Zoning Administrator is unbridled and has been expressed in public and/or in private to her on multiple occasions, several of which you are aware. Therefore, permit me to reiterate my earlier statement that I would welcome an opportunity to meet privately with you and Wendy at a mutually convenient time and place. I wish to better appreciate her concerns, and I have no desire whatsoever to perpetuate or further contribute to any unintended consequences of my doing.

My counsel suggests, and I agree, that such a meeting is best scheduled for a date after May 11, 2010.

I look forward to your constructive thoughts as we go forward.

Thank you.

Very truly yours,

Bob Field”

6. Town Administrator’s Report

Town Administrator Fournier stated that he had been involved in some legislative issues in Concord, and that due to the end of the sessions, every bill is being pushed through at this time. One bill in particular is attempting to cap the amount of reserves that public risk pools in the State may have.

Town Administrator Fournier stated that this would significantly affect our health insurance rates in the future, no matter which of the major companies the Town went with. The CEO’s of all three companies testified before the Senate and it is his understanding that the Senate is starting to understand things more in depth.

Town Administrator Fournier stated that the other item is that some of the significant outside work at the Town Hall has started. Conduit was installed under the ground. Inside the Town Hall, it is pretty much gutted. Construction companies did a walk through last week, and bids should be received shortly.

Town Administrator Fournier stated that he wished to thank Chair Salomon, Selectman Gould, and former Selectman Coutu on behalf of himself and the staff for their service to the Town.

7. Minutes

7.1 Non Public Minutes of April 12, 2010

Selectman Gould stated that a change to 4.1 second line, "sight" is misspelled, and that the word "distance" should be added.

Motion by Selectman Gould to accept the non public minutes of April 12, 2010. Seconded by Selectman Rineman. Motion carries 3-0.

7.2 Regular Minutes of April 26, 2010

Selectman Rineman stated that on lines 55-60 found he was confused with the motion, and that he had re-written the motion.

Motion by Selectman Gould to accept the minutes of April 26, 2010 with the changes noted. Seconded by Selectman Rineman. Motion carries 3-0.

7.3 Non Public Minutes of April 29, 2010

Motion by Selectman Gould to accept the non public minutes of April 29, 2010. Seconded by Selectman Rineman. Motion carries 3-0.

At this point in the meeting, agenda item 4.3 was presented.

Selectman Rineman presented engraved clocks to Chair Salomon, Selectman Gould, and former Selectman Michael Coutu. Selectman Rineman thanked the Select Board members for their dedication and service to the Town. A clock was also engraved for former Select Board member Emily Creighton.

Michael Coutu thanked the Board members as well as staff and other boards and commissions for the collegial environment in which everyone worked.

Town Administrator Fournier read an email that Ms. Creighton sent:

"Dear Steve, I found my five years on the Board very rewarding. It's recognition enough to know that I gained the trust of the residents of North Hampton to conduct the business of the Town. I need no further public recognition. If you care to read this into the record, I leave that at your discretion. Regards, Emily."

Selectman Gould stated that he had enjoyed most of the four years he spent as Selectman, and six years on the Planning Board. Selectman Gould stated that he most enjoyed working with the town employees, from the Town Administrator, Chiefs of departments, town office personnel and personnel in all departments.

Selectman Gould stated that he wanted the residents of the Town know and understand the quality of the people they have serving them, and how fortunate they are to have these people working for them.

Chair Salomon stated the he found it to be a bittersweet moment and that he is going to miss it. He echoed everyone's comments about what a pleasure it is to work with the staff, and the Town is very fortunate to have outstanding individuals serving this Town.

8. Adjournment

Motion by Selectman Gould to adjourn the meeting at 7:45 PM. Seconded by Selectman Rineman. Motion carries 3-0.

Respectfully submitted,

Janet L. Facella