



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE  
**SELECT BOARD**  
**APPROVED MINUTES**  
REGULAR MEETING – THURSDAY, SEPTEMBER 9, 2010 4:00 PM  
NORTH HAMPTON TOWN HALL

*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 Wollmar called the meeting to order at 4:00 PM. Those present were Selectman Rineman, Selectman Maggiore and Town Administrator Fournier.

**2. Consent Calendar<sup>1</sup>**

No items

**3. New Business**

**3.1 Request to have Conservation Commission Meetings Televised – Richard Stanton**

**Motion by Chair Wollmar to table this request until the next Select Board meeting.  
Seconded by Selectman Rineman for discussion.**

**Selectman Maggiore asked Chair Wollmar why he would like to postpone this agenda item until the next meeting.**

**Chair Wollmar stated that he would like to get input in writing from Chris Ganotis before the next meeting.**

**Motion by Selectman Maggiore to continue this item until the September 27 Select Board meeting. Seconded by Chair Wollmar. Motion carries 3-0.**

Richard Stanton stated to the Select Board that he submitted this request to all members of the Board two weeks ago, and the reason is that the Conservation Commission meets on the 14<sup>th</sup> of September at which time they will be discussing a money item that he feels needs to be brought to the attention of the Town.

Mr. Stanton stated that by the time of the next Select Board meeting some of the importance of this request will be taken away because of the delay.

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

<sup>1</sup> 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.

Chair Wollmar stated that the North Hampton Forever committee has to go before the Conservation Commission and then the Conservation Commission must get the Select Board's approval, so that there will be ample opportunity for Mr. Stanton to express his opinions.

Donald Gould stated that he shares Mr. Stanton's concerns and takes issue with the dismissal of the importance of filming the meeting. Mr. Gould further stated that the Conservation Commission has been, will be and in the very near future considering spending hundreds of thousands of dollars of the taxpayers money on an acquisition that he feels strongly is unwarranted, and his great concern is that in the past none of the meetings have been televised, and people don't know what is going on, and by the time it finally gets on TV, or if it does, it will be too late.

Mr. Gould asked that the Board reconsider its vote to continue this item to their next meeting. He further stated that he doesn't understand why the Conservation Commission is the only major board in town that doesn't have its meetings televised and that it smacks of under the radar dealings.

Chris Ganotis stated that the Conservation Commission is certainly not adverse to having public meetings, and that in fact they welcome public input. Mr. Ganotis stated that as a practical matter there are two issues that need to be considered. He further stated that there is one issue that needs to be brought to the Select Board's attention but cannot be discussed in a public meeting. The second issue is that there are ample opportunities for public input, and that the Conservation Commission does not spend the money, the Board of Selectmen does, and that with all due respect to Mr. Gould, he will have at least three opportunities to express his opinion on the acquisition of land or a conservation easement.

Mr. Ganotis stated that the statement that things are being done in a stealth manner is simply not the case. He further stated that all of the Conservation Commission meetings are public and that public input is welcome, with the exception of meetings where negotiations are being made, and that is accorded to the commission by RSA 91-A.

### 3.2 Creation and Appointment of Clock Keeper

Town Administrator Fournier stated that George Chauncey had volunteered to make sure the clock in the Town Hall tower is properly maintained and kept in working order. He further stated that there is a fund for the maintenance of the clock that has a balance of \$7,000 currently.

**Motion by Selectman Maggiore to appoint George Chauncey as the keeper of the town clock. Seconded by Chair Wollmar. Motion carries 3-0.**

### 3.3 Approval of Planning Board Nomination to the Capital Improvement Planning Committee – C. Swank

Town Administrator Fournier stated that the Planning Board had nominated Cynthia Swank to the CIP committee.

**Motion by Selectman Maggiore to nominate Cynthia Swank to the Capital Improvements Committee. Seconded by Chair Wollmar for discussion.**

**Selectman Maggiore stated that all resumes received were very much appreciated and he felt that all of the people were well qualified and that the scales just tipped a little bit farther for Cynthia. He further stated that his personal opinion was that when he saw all of the resumes, she was the first person he thought of when he thinks of public meetings as she is always there, and thought she would be an excellent choice.**

**Selectman Rineman stated that he agreed with Selectman Maggiore, and that he had served for two years on the Budget Committee with Cynthia, and that she remains very active in the town.**

**Selectman Maggiore called the question. All in favor, motion carries 3-0.**

#### 3.4 Appointment of Member to the Capital Improvement Planning Committee

Chair Wollmar stated that he would like to recommend Peter Philbrook who authored at no cost to the town the energy audit of all town municipal buildings. He further stated that Mr. Philbrook works for the Environmental Protection Agency, and that he would be an asset to the committee.

Selectman Rineman stated that he agreed with Chair Wollmar's recommendation and that he has come to know Mr. Philbrook from being a representative to the Energy Committee, and believes his expertise will be of great help to the Town.

**Motion by Chair Wollmar to nominate Peter Philbrook to serve on the Capital Improvement Planning Committee. Seconded by Selectman Rineman. Motion carries 3-0.**

#### 3.5 Appointment of Representatives for Perambulation of Town Lines with Town of Exeter

Town Administrator Fournier stated that an invitation has been received from the Town of Exeter to perambulate the town line, and recommended appointing himself and the Director of Public Works as was done with Hampton.

**Motion by Chair Wollmar to appoint Town Administrator Fournier and the Director of Public Works to perambulate the town line with the Town of Exeter. Seconded by Selectman Maggiore. Motion carries 3-0.**

#### 3.6 Acceptance of Propane Contract – Lamprey Brothers

Town Administrator Fournier stated that two bids had been received for propane. One was from Lamprey Brothers, and one from Eastern Propane. The Lamprey Brothers bid came in five cents per gallon lower with a bid of \$1.93 per gallon.

**Motion by Selectman Maggiore to approve the propane bid from Lamprey Brothers in the amount of \$1.93 per gallon and to authorize the Town Administrator to execute any agreements. Seconded by Chair Wollmar. Motion carries 3-0.**

#### 3.7 Appointment of Voting Delegate for the NH Municipal Association Legislative Policy Conference September 17, 2010

**Motion by Selectman Rineman to appoint Selectman Maggiore to attend the NH Municipal Association Legislative Policy Conference on Friday, September 17, 2010, and if Selectman Maggiore is unable to attend, Town Administrator Fournier will take his place. Seconded by Chair Wollmar. Motion carries 3-0.**

#### 3.8 Positions on Nine Floor Policies for the NHMA Policy Conference

The Select Board discussed the following nine floor policies:

1. Oppose change state law to eliminate water entities having to make payments in lieu of taxes to another community.

**Motion by Selectman Rineman to support the Town of Auburn and oppose any change in the current state statutes (RSA 72:11; RSA 79-A or RSA 79-B at a minimum). Seconded by Chair Wollmar. Motion carries 3-0.**

2. Require administrative rules be reviewed by relative committees in the legislature.

**Motion by Selectman Maggiore to support NHMA and require the Legislation to require draft rules be returned to the relevant policy committee prior to submission to the Joint Legislative Committee on Administrative Rules to ensure they accurately reflect the policy committee's intent. Seconded by Selectman Rineman. Motion carries 3-0.**

3. Allow assessors to request rental income information on commercial and industrial properties.

Robert Field stated to the Select Board that this is a very complex issue and felt that the Select Board should vote no opinion.

**Motion by Selectman Maggiore to vote no opinion to permit Legislation to permit municipal assessing offices to request financial information related to the rental income and rental expense of commercial and industrial property from those property owners. Seconded by Selectman Rineman. Motion carries 3-0.**

4. Allow the governing body of a community to adjust partial payment of taxes on April 1 in any tax year by taking the prior year's valuation times  $\frac{1}{2}$  the previous year's tax rate and an amount sufficient to collect any extraordinary increase or decrease in the Statewide Education Property Tax.

**Motion by Selectman Maggiore to support Topic 4. Seconded by Selectman Rineman. Motion carries 3-0.**

5. Allowing Select Board to override decisions to hold details in a community.

**Motion by Selectman Maggiore to oppose additional wording to RSA 105:9 III that the decision to assign details can be overridden by a unanimous vote of the Board of Selectmen when the work involves details in the town. Seconded by Chair Wollmar. Motion carries 3-0.**

6. Eliminate or raise the excavation tax

**Motion by Selectman Rineman to vote no opinion. Seconded by Chair Wollmar. Motion carries 3-0.**

7. Support home rule decision on legalized gambling

Phil Wilson stated that he believes that gambling has far reaching effects of all kinds that require a broader perspective and oversight.

**Motion by Selectman Maggiore to oppose legislation to provide expansion of gambling in New Hampshire and based on local home rule, rather than State Legislative decisions. Selectman Maggiore withdrew his first motion.**

**Motion by Selectman Maggiore to vote no opinion on legislation to provide expansion of gambling in New Hampshire based on local home rule, rather than State Legislative decisions. Seconded by Chair Wollmar. Motion carries 2-1.**

8. Repeal Town Health Officer Law

**Motion by Selectman Rineman to support the establishment of a legislative committee repealing the Town Health Officers and re-enacting of RSAs 125:1 and 125:2 or enactment of new legislation providing for a New Hampshire Department staffed by medical professionals, and funding of same. Seconded by Selectman Maggiore. Motion carries 3-0.**

9. Having the NHMA take no position on the collection of Statewide property tax

**Motion by Selectman Maggiore to support that the NHMA take no position on the collection of statewide property tax. Seconded by Selectman Rineman. Motion carries 3-0.**

4. **Items Laid on the Table<sup>2</sup>**

4.1 Bandstand Use Policy

Town Administrator Fournier stated that he is changing this item to a town facility use policy instead of a bandstand use policy. Because now that the town hall is finished and handicapped accessible there is a possibility of more requests to use the room.

5. **Town Administrator's Report**

Town Administrator Fournier thanked the Old Town Hall Committee of Paul Cuetara, George Chauncey, Jane Palmer, Rich Goeselt, Craig Salomon, Jenny Landman, Penny Holbert, Ben King and Steve Miller. In addition he thanked the Director of Public Works, the Building Inspector, and the Station Manager, and also Paul Powell from Powell Builders who did the construction and met with him on a regular basis to keep him up to date on the project. There will be an open house to formally celebrate the completion of the town hall and to publicly thank everyone.

The State Primary will be held in the town hall on Tuesday, September 14 from 8:00 AM to 7:00 PM

Town Administrator Fournier reported that over the weekend the firewall on the computer system went down and had to be replaced, and at the same time it was determined that the server needs to be replaced as soon as possible. The replacement had been planned for later in the year, however there will be a significant cost of \$20,000. The money is in the budget, but there is concern that there won't be money to replace other equipment if it is paid for all at once, and therefore are looking at lease options to spread out the cost.

On September 7, 2010, Town Administrator Fournier attended the Little Boar's Head Village District meeting, and was thanked for being the first town official to attend. The commissioner's also thanked the Public Works Director and the Chief of Police for their assistance in replacing the sidewalks.

A letter was received on the town's request for an opinion from the EPA on the proposed motorcycle ordinance, and a copy was forwarded to town counsel.

6. **Minutes**

6.1. Regular Meeting August 23, 2010

Selectman Maggiore stated that he had corrections to line 40 and line 69. Selectman Rineman stated that he had a correction to line 90.

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<sup>2</sup> 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.

**Motion by Selectman Rineman to accept the minutes of August 23, 2010. Seconded by Selectman Maggiore. Motion carries 3-0.**

**7. Adjournment**

**Motion by Chair Wollmar to adjourn the meeting.**

Respectfully submitted,

Janet Facella  
Administrative Assistant