



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE  
**SELECT BOARD**  
**MINUTES**

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REGULAR MEETING – MONDAY, APRIL 25, 2011 –7PM  
TOWN HALL

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

**1. Non-Public Session Pursuant to RSA 91:A-3 II (c) 6:00 PM**

**Motion by Selectman Maggiore to seal the minutes of the Non-Public Session. Seconded by Selectman Rineman. Motion carries 3-0.**

**2. Call to order**

Chair Wollmar called the meeting to order at 7:00 PM. Those in attendance were Selectman Jim Maggiore, Selectman Jon Rineman, and Town Administrator Stephen Fournier.

Chair Wollmar invited those in attendance to join in saluting the flag.

**3. Approval of Minutes of Previous Meetings**

3.1 Regular Meeting of April 11, 2011

**Motion by Selectman Maggiore to approve the regular meeting minutes of April 11, 2011. Seconded by Selectman Rineman. Motion carries 3-0.**

**4. Report of the Town Administrator**

The Town Administrator reported that an application has been submitted to the NH Municipal Bond Bank for the remaining \$731,160 in bonding authority that the Town has.

The Town Election will be held on May 10 from 8 AM to 7 PM at the Town Hall.

The Town of North Hampton and the State of New Hampshire is partnering with the United States Drug Enforcement Administration substance abuse industry and poison prevention organizations to promote proper storage and disposal of medicine at home. On April 30 from 10 AM to 2 PM the North Hampton Police Department will give the public an opportunity to prevent pollution or pill theft by ridding their homes of potentially dangerous expired, unused, and unwanted prescription drugs.

**5. New Business**

5.1 Appointment of Donna Etela as Alternate to the Heritage Commission

**Motion by Chair Wollmar to approve the appointment of Donna Etela as an Alternate to the Heritage Commission to finish the last three (3) months of Ben King's position. Seconded by Selectman Maggiore. Motion carries 3-0.**

## 5.2 Beach Parking Permit Fees

Town Administrator Fournier stated that the cost to lease the 20 beach parking spaces will be \$8,500, which is the same as last year. Town Administrator Fournier recommended increasing the fee to \$25 to be certain that the Town's costs are covered.

North Hampton Resident, Amy Kane, spoke to the Board regarding the state of the rest rooms, difficulties in securing a leased parking spot and the lack of trashcans. Ms. Kane stated that she hoped the Select Board could step in and speak to the State about these concerns.

Town Administrator Fournier stated that the Town does not own the beach and that the State maintains it. When the Town pays the fees to the State it is only for the use of the parking spots, and it is not money to maintain the beach. He further stated that he felt it would be best to work with the State Representatives and Senators to pressure the State to continue to fund some of the replacements there. Town Administrator Fournier stated that with all of the problems with the budget at the State, he does not foresee any money coming to make repairs for the beach.

Selectman Rineman stated that he felt the Select Board should put together a letter to send to the new director of the beaches, as well as State Representatives and Senator with their concerns regarding health issues with the bathrooms among other things.

Amy Kane suggested that the signs be replaced with something that isn't so vague about the "tow area."

Town Administrator Fournier stated that the request could be made to the State.

**Motion by Selectman Maggiore to raise the Beach Parking permit fee to \$25 per permit. Seconded by Chair Wollmar. Motion carries 3-0.**

## 5.3 Zoning Board of Adjustment Administrative Services Agreement – Robert B. Field, Jr.

Robert B. Field, Jr. stated to the Select Board that he was at the meeting as a representative of the Zoning Board of Adjustment as was David Buber. Mr. Field noted that Rick Stanton, who is a member of the Zoning Board was in the audience at that his votes on this issue have generally been negative to neutral and wasn't sure what his position would be at the meeting. Mr. Field also stated that the Town's "very excellent Administrative Officer" Wendy Chase was in attendance.

Mr. Field stated that in 2005, the Chair of the Planning Board at that time, Mr. Phil Wilson, suggested to the Select Board that due to the complexities of the job in administering to the needs of the Town's land use boards, had become such that it might be helpful to have an Administrative Services Agreement laying out precisely what each of the board's could expect in the way of services from the Town, as well as what was expected from the Board in the way of member communications, direct requests, access to information and services.

Mr. Field stated that he wasn't sure what happened, but to his knowledge nothing ever happened with the suggestion.

Mr. Field stated that last May, was the second year of the transition of the Zoning Board becoming an elected board. He further stated that at the first meeting in May of 2010 the Zoning Board advanced some of their thoughts that Mr. Wilson had, and explore the notion of an Administrative Services Agreement. In June, a conversation was held with Ms. Chase and Mr. Fournier and at that time Mr. Fournier would create an outline for such an agreement.

Mr. Field stated they received a draft with some ideas from Mr. Fournier sometime in October, and he invited Mr. Field to work with him to come up with something. Mr. Field then drafted a document that he felt hit the "hot spots" and addressed both the Town and the Zoning Board. After several drafts, Mr. Field and Mr. Buber met with Mr. Fournier and that Mr. Fournier had a couple of concerns with the draft. Mr. Field and Mr. Buber made some changes to the draft at that time, and asked Mr. Fournier for copies of job descriptions and any contracts that might exist. At that point in time, Mr. Buber very helpfully went and compared content of the

contracts and job descriptions, and felt that this could be brought together, and what Mr. Field had written could be improved on by using, as the basis, those contracts and job descriptions.

Mr. Field stated that the reason to have this agreement is that people on the boards change, and people who are serving the board change and that there has not been communication between the two as to what is to be expected.

Mr. Field stated that he did not expect the Select Board to make a decision on the document at this meeting, but that he would like some direction as to how the Select Board believes that the Zoning Board can best assist the Town and create a more definitive working relationship. Mr. Field further stated that Mr. Fournier agreed that an Administrative Services Agreement was needed.

Town Administrator Fournier stated that he would like to clarify that he was in favor of the agreement, but his reason is a little different from Mr. Field in that his reasons were to protect the employee. He further stated that the reason he would support this is to have an outline of exactly what services the employee is to provide.

Selectman Rineman stated that he thought it would be a good idea for both the Planning and Zoning Board's to get together with the Select Board and come up with a basic, easy to understand and easy to follow guideline. He further stated he didn't think it should be done before the upcoming election, but that it should be done shortly after the election.

Selectman Maggiore asked for clarification on an email sent by Mr. Field to the Select Board that expressed the "loyalty" of employees.

Mr. Field stated that if the Zoning Board has a disagreement with Select Board over policy or an issue, and the Zoning Board is meeting with its counsel in the presence of its employee under the agreement, the Zoning Board would expect that employee to respect the attorney confidences that that Board has, and not make it a public issue with other boards in Town.

Chair Wollmar stated that having been on the Zoning Board of Adjustment for five years, it isn't that complex. He further stated that the Select Board do not and should not interfere with the proceedings of the Zoning Board. Chair Wollmar stated that he doesn't feel that an Administrative Services Agreement is necessary. He further stated that when the Zoning or Planning Boards have the opportunity to use an employee of the Town to perform certain functions, essentially that employee is there to take minutes and does not get involved with the decision making and certainly would have confidentiality pertaining to anything of the legal nature.

Mr. Field stated that over the past ten years, the zoning and land use issues have become tremendously more complex.

## **6. Closing Comments**

### **6.1 Closing Comments by Visitors**

Amy Kane asked that when the Select Board meet with someone from the State if they could not just discuss the bathrooms but also other issues such as dog waste and trash as well.

### **6.2 Closing Comments by Select Board Member**

## **6. Adjournment**

**Meeting was adjourned at 8:30 P.M.**

**Respectfully submitted,**

**Janet L. Facella  
Administrative Assistant**

