



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

---

REGULAR MEETING – MONDAY, MAY 23, 2011 –7PM  
TOWN HALL

---

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

- 1. Reorganization of the Select Board**
- 2. Call to order**

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

Vice Chair Rineman invited those in attendance to join in the Pledge of Allegiance.

Vice Chair Rineman asked if there were any nominations for Chair of the Select Board. Selectman Wilson stated that he would like to nominate Selectman Maggiore as Chair. Selectman Maggiore stated that he would like to serve as the Chair.

Vice Chair Rineman stated that this was his fifth year on the Select Board and he would like to nominate himself as Chair.

Selectman Maggiore was appointed to serve as Chair of the Select Board.

Selectman Rineman nominated himself to serve as Vice Chair of the Select Board.

Selectman Wilson nominated himself to serve as Vice Chair of the Select Board.

**Motion by Selectman Wilson to close the nominations. Seconded by Chair Maggiore. Motion carries 3-0.**

Selectman Rineman was appointed to serve as Vice Chair of the Select Board.

Selectman Wilson nominated himself to serve as a representative to the Planning Board.

Selectman Rineman nominated himself to serve as a representative to the Planning Board.

Selectman Wilson was appointed to serve as Select Board representative to the Planning Board.

Chair Maggiore was appointed to serve as Select Board representative to the Municipal Budget Committee.

Selectman Rineman was appointed to serve as a Select Board representative alternate to the Planning Board and the Municipal Budget Committee.

Chair Maggiore was appointed to serve as Select Board representative to the Heritage Commission.

Selectman Rineman was appointed to serve as Select Board representative to the Agriculture Commission.

Selectman Wilson stated that there was a very long list of commissions, boards and committees and asked if it isn't required to serve by law, is it essential and effective to have someone from the Select Board serve.

Chair Maggiore was appointed to serve as Select Board representative to the Heritage Commission.

Chair Maggiore stated that the next appointment would be to the Capital Improvement Committee (CIP). He further stated that he had served as the Select Board representative and felt that clear priorities and goals were not explained. He further stated that with all due respect to the committee and the Chair he felt that they were a little "stuck in the mud," and that some of the work of the CIP committee needs to start with the Select Board.

Chair Maggiore stated that he felt that the CIP committee is very important given the number of projects that are looming in front of the Town.

Selectman Wilson stated that in addition to his prolegomenon to the feast of these boards, he would add that one of the tasks that the Select Board should take upon itself, is to ensure that the Town Administrator, as well as the Department Head's, understand that capital planning is an essential part of management, and if they are not doing that as part of their planning and budgeting process every year, they are failing in their jobs. He further stated that if the Select Board shares that belief with him, he would be willing to volunteer for the CIP committee. Selectman Wilson stated that if the Select Board did not share that belief with him, then he did not want to volunteer for the committee, as he feels that a CIP committee can never be effective if it isn't engrained in the management processes of the town.

Selectman Rineman stated that he was confused because with Chair Maggiore on the CIP Committee last year, he does not ever recall that there was a lack of information being provided to the committee members. He further stated that what he did hear was that there was a never ending request for information that did not exist, and that Chair Maggiore had stated that he was frustrated with the fact that there was information given that was not being processed.

Chair Maggiore stated that he felt there was frustration on both sides, and that the committee did not have a clear direction from the Select Board. He further stated that he felt that he wasn't giving the committee due diligence but that "he didn't know what he didn't know."

The Select Board tabled the appointment of a member to the CIP committee until the next meeting or work session.

The Select Board appointed Selectman Wilson to serve as Select Board representative to the Code of Ethics Committee.

The Select Board appointed Chair Maggiore to serve as Select Board representative to the Labor Negotiation Committee.

**Motion by Chair Maggiore to have Selectman Wilson volunteer to report to the Select Board relevant information of the Conservation Commission. Seconded by Selectman Wilson. Motion carries 3-0.**

Chair Maggiore volunteered to be the liaison to the Water Commission, with both Selectmen Rineman and Wilson in agreement.

Selectman Rineman volunteered to be the liaison to the Zoning Board of Adjustment.

Selectman Wilson stated that he felt that it is inappropriate for the Select Board to interfere with the Zoning Board. He further stated that he wasn't voting against anyone volunteering, he is voting against the concept.

**Motion by Chair Maggiore to have Selectman Rineman volunteer on the Zoning Board of Adjustment. Motion carries 2-1-0.**

Selectman Wilson stated that he is a member of the North Hampton Forever subcommittee and would prefer to stay on as a member instead of volunteering as a liaison for the Select Board. He further stated that as a Select Board member on the subcommittee, he would be happy to report back to the Select Board of any relevant matters.

Selectman Rineman was appointed to serve as Select Board representative to the Energy Committee.

Chair Maggiore was appointed to serve as a member on the Cable Advisory Committee.

### **3. Consent Calendar**

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

### **4. Approval of Minutes of Previous Meetings**

4.1 Regular Meeting of May 9, 2011

**Motion by Selectman Rineman to approve the minutes of the May 9, 2011 meeting. Seconded by Chair Maggiore. Motion carries 2-0.**

### **5. Report of the Town Administrator**

Town Administrator Fournier stated that he would like to take the opportunity to welcome Selectman Wilson to the Board. He further stated that he would like to try to set up an orientation workshop for all Board members in the coming weeks to review different polices and the roles of the Board members in relation with the staff. In addition, take a tour of the various facilities in Town.

Town Administrator Fournier stated he would like to explore having a goal setting session soon for the coming fiscal year. This would be an opportunity for the Board and Department heads to get on the same page as to what we would like to see accomplished in the coming year.

The Merrimack County Superior Court has ruled in favor of the State in the case of Concord v. the State. The case revolved around the decision of the State to reduce their contribution to Police, Fire and Teachers retirement. The Cities, Towns, Schools and Counties argued that since these employees are required by State Law to be in the retirement system, that any change in funding is a violation of the State Constitution Article 28-a that prohibits unfunded mandates from the State. The Court felt that since the obligation for these individuals to belong to the retirement system was enacted prior to the adoption of Article 28-a, and that a cost sharing method is not new, the decision of the State to change their share of the contribution is not unconstitutional.

Governor Lynch proposed to eliminate the State contribution in his proposed FY12 budget. If this comes to fruition, it will have a significant impact on the Town budget. This case will most likely be appealed to the State Supreme Court.

The Recreation Director recently attended a workshop on what to do with Children during emergencies. All too often, the Town drills for what to do to protect property and lives, however we do not drill on what to do with children during the emergency.

Save the Children came up with the idea to partner and train Recreation staff to fill this role during emergencies, as members are already equipped with the "right management tools" and have had background checks necessary.

Many other communities include the Recreation Department in their emergency planning. A number of Recreation Departments are used to man the shelters in order to provide not only activities for those using the shelters, but also relieves other safety officials from having to man the shelter and allows them to be in the field where they are needed. In addition, that if school were cancelled, it give a place for parents to be able to leave there children so they can return to work. In a larger disaster, it gives a place that parents can leave children in order to allow them to look for shelter in other areas.

Town Administrator Fournier stated he will be working with Chiefs of Police and Fire along with the Recreation Director to explore adding this to our emergency plan.

Hampton American Legion Post 35 has invited the Select Board to participate in the Memorial Day Parade and exercises on Monday May 30, 2011. The events in North Hampton will start with a parade at 10am at the Citizens Bank Building and conclude at the Town Clerk - Tax Collector's Office with a memorial service.

The first of three public informational sessions on the proposed Town Campus designs will be held on June 7 from 6PM to 7PM at the Fire Station. The purpose for these sessions is for the public to have a chance to review and comment the current plans and make suggestions on changes. This is the first of three proposed public sessions before the Select Board makes a decision sometime this fall on a final plan for the campus. I want to stress that this process is still in the preliminary stages. The public is encouraged to come forward and offer input on the plans and process.

The Town has received notice that NH Citizens Against Loud Motorcycles have filed a motion to withdraw from the case as an intervener.

The Town is planning to have signs installed around the community reminding motorcyclists to be respectful and limit the noise they produce. In addition, the Chief will be working with other law enforcement agencies along the Seacoast to increase the number of Vehicle Compliance Checkpoints as well as new flyers explaining the laws.

## **6. New Business**

### **6.1 Select Board Signing of MS-2, Report of Appropriations Actually Voted**

All Select Board members signed the MS-2.

### **6.2 Approval of Audit Contract for 1 Year with Melanson and Heath**

**Motion by Selectman Wilson to accept the recommendation of the Town Administrator and authorize him to sign on behalf of the Select Board. Seconded by Selectman Rineman. Motion carries 3-0.**

### **6.3 Discussion of 2011 Smuttynose Marathon with Overview of Event and Course**

Michael St. Laurent of Loco Sports in Newmarket, New Hampshire presented an overview to the Select Board of the marathon's course through parts of North Hampton, and the proposed auto route.

Mr. St. Laurent discussed proposed changes along the course due to numerous complaints and safety issues last year.

Selectman Wilson asked if this was a profit making event, or an eleemosynary event.

Mr. St. Laurent stated that they are a profit making company that really does not make a profit.

Arthur Nadeau, 34 Pine Road stated that he feels the marathon is a great community event for North Hampton and supports the race.

Ryan Crowley, 17 Appledore Avenue stated that he has run five Loco Sports races and feels they do a great job.

Chief Brian Page spoke to the Select Board and stated that he was not going to recommend having the race, but that he wouldn't not recommend it either.

Chief Page stated that the Police Department does not control traffic during this race anymore; they allow runners and that concerns him greatly.

Chair Maggiore asked if Chief Page would be willing to submit a list of his concerns so that they could be addressed with Mr. St. Laurent before the race.

Chief Page stated that his answer would be no. He further stated that because of the continuous problems with this road race and will not put his name on the permit this year.

Chief Page stated that he timed how long it took from when they stopped traffic on Ocean Boulevard until the time they allowed traffic to go, and it was one hour and a half. The Chief stated that was an excessive amount of time to make someone wait in his or her car.

Chief Page stated that he appreciated Mr. St. Laurent's efforts, but that he didn't see how the new course is going to solve the problems on Ocean Boulevard.

Selectman Wilson stated the he would be in favor of supporting the race this year, but that next year he would like to see a thoughtful presentation of what they have done to consider the inconvenience they are causing the people of the town who they are asking permission of through the Select Board.

Selectman Rineman stated that he would be voting against allowing the road race because he feels that going against the Police Chief's recommendation would be wrong.

**Motion by Selectman Wilson to approve the application of Loco Sports to conduct a road race that involves roads as presented in the Town of North Hampton on the date specified with the condition that they employ a uniformed police detail to provide the official marshalling of the course. Seconded by Chair Maggiore. Motion carries 2-1.**

**Motion by Selectman Wilson to suspend the rules of the Select Board to continue the meeting beyond 9:00 PM in order to complete the business of the meeting. Seconded by Selectman Rineman. Motion carries 3-0.**

## **7. Closing Comments**

7.1. Closing Comments by Visitors

7.2. Closing Comments by Select Board Member

## **8. Non-Public Session Pursuant to RSA 91:A-3 II (c)**

The Select Board moved to go into non-public session.

The Select Board reviewed tax deeded property and determined to waive the tax deeds for the following properties:

- B&G Realty Trust
- Dru Chichester
- Coakley Landfill
- Marilyn Dooley
- Vilma Merrill
- Peter Merritt
- Donna Perrone

The Board also discussed the status of two abatement cases.

**Motion by Selectman Wilson to exit out of the non-public session at 9:25 PM. Seconded by Selectman Rineman. Motion carries 3-0.**

## **9. Adjournment**

**Motion by Selectman Wilson to adjourn the meeting at 9:27 PM. Seconded by Selectman Rineman. Motion carries 3-0.**

Respectfully submitted,

Janet L. Facella  
Administrative Assistant