



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

SELECT BOARD

APPROVED MINUTES

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REGULAR MEETING – MONDAY, SEPTEMBER 12, 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. Call to order**

Chair Maggiore called the meeting to order at 7:00 PM. Those in attendance were Chair Maggiore, Selectman Wilson, Selectman Miller and Town Administrator Fournier.

Chair Maggiore led the Pledge of Allegiance.

**2. Approval of Minutes of Previous Meetings**

**2.1 Regular Meeting Minutes of August 22, 2011**

Selectman Miller stated that he would like to emend line 75 so that it reads "prescription disposal program" instead of "prescription drug take back program."

**Motion by Selectman Wilson to accept the minutes of the August 22, 2011 meeting as amended. Seconded by Selectman Miller. Motion carries 3-0.**

**3. Consent Calendar**

Selectman Miller requested to have item 2 on the Consent Calendar taken off and moved to New Business, item number 6.6. There were no objections from the Select Board.

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

**4. Communications to the Select Board**

**4.1 Update from the Coalition Communities Coordinator – Pat Remick**

Town Administrator Fournier read the letter from the Coalition Communities Coordinator, Pat Remick.

Selectman Wilson asked Town Administrator Fournier to help explain paragraph three of the letter as it was confusing. Town Administrator Fournier explained that it basically meant that the Town would be allowed to spread the state education tax out over two tax bills instead of one due to changes in legislature, thereby lessening the "pain."

Selectman Wilson stated that it doesn't relieve the Town of the cost, it just bifurcates it.

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Selectman Miller stated that the letter is asking the Town of North Hampton to follow up with a contribution that was made two years ago in the amount of \$2,000. Selectman Miller asked Town Administrator Fournier what the prior Select Boards' decision was to fund this.

Town Administrator Fournier stated that it was a consistent contribution, but with the reduction in the budget last year, this line item was zeroed out, so the money would have to be found somewhere else.

Selectman Miller asked the Select Board if they felt it was important to give anything in order to keep this alive.

Chair Maggiore stated that the line item for the donation was taken out of the current fiscal year budget. Chair Maggiore asked what the Town receives for its donation, what the return is, and has the contribution always been \$2,000.

Town Administrator Fournier stated that the Town receives lobbying efforts for their donation. He further stated that we are one of the more active communities that try to go to meetings as often as possible, attend the session and advocate for this.

Selectman Wilson stated that it seemed as though the principle purpose of the Town's donation would be to support the lobbying in favor of getting a referendum on the ballot in November 2012 to have a constitutional amendment that would say you can target this money to town's that need it, rather than just in general. He further stated that it would be up to the Select Board to decide whether they favor a constitutional amendment and if they do, do they favor it enough to donate \$2,000.

Selectman Miller stated that if the voters and the Budget Committee passed a budget that did not include this contribution of \$2,000, then he felt that the Select Board should not be in favor of it. He further stated that his concern is that leaving the door open to become a donor town again might be short sighted.

Chair Maggiore stated that he is in favor of the constitutional amendment, however with a tight budget it would unfortunately have to be a corner that may be cut because they are still going to fight the fight.

Town Administrator Fournier suggested that he write a letter to the Coalition Committees stating that due to budgetary constraints, the Town is unable to make a donation, but would be willing to provide the manpower to help to assist in lobbying.

Selectman Wilson stated that he doesn't understand what the constitutional amendment is going to say, because when reading the letter it states that "Unfortunately, we could not persuade the Legislature to pass a constitutional amendment that *could* eliminate the need for a Statewide Education Property Tax..." He further stated that he would be happy to table this issue or vote against it, but he will not vote in favor of it until he has more information and understands what this amendment is doing.

Selectman Miller suggested that the Select Board take Town Administrator Fournier up on his suggestion of writing a letter, and to include Selectman Wilson's comments that it is not clear what their goal is.

Chair Maggiore and Selectman Wilson agreed with Selectman Miller's suggestion.

#### 4.2 Memorandum to the Select Board Regarding Town Campus Proposal – Paul Cuetara

Chair Maggiore stated that Mr. Cuetara was in the audience, and asked him to speak to his letter.

Paul Cuetara read the highlights from a letter he submitted on behalf of the North Hampton Heritage Commission at the most recent Town Campus Proposal meeting with WarrenStreet Architects, regarding the Town Hall and moving it from the current location.

Selectman Miller inquired as to when the work is scheduled for the outside of the Town Hall.

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Mr. Cuetara stated that he had thought work would have been done this summer, but has been unable to schedule a time for a meeting of the Town Hall Committee that works for everyone.

Public Works Director, John Hubbard stated that Red Mabey is working on a request for proposals for the work that needs to be completed in the front of the Town Hall, and the committee needs to meet and give their feedback.

Town Administrator Fournier stated that there would be a plan in place by next July, and that the budget needs to be looked at as far as expenditures because there were additional expenditures involved with the new septic system and the heating system in the fire station also needs to be addressed.

Selectman Maggiore stated that there would be the final Town Campus Study meeting held on Saturday, September 24, 2011 at 9:00 AM in the Town Hall. This is an opportunity for the public to attend and to voice their opinions and concerns on the proposals for the Town Campus.

Selectman Maggiore encouraged the public to attend the meeting so that they can be informed about this proposal.

Selectman Maggiore thanked Mr. Cuetara and everyone on the Heritage Commission for all of their work on this as well as other projects.

A copy of the memorandum from the Heritage Commission is attached to these minutes.

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

The Town made it through Tropical Storm Irene unscathed. There were a few pockets of power outages, but none were for more than a few days. There was not the widespread coastal flooding that was predicted and very little damage to the beach. A number of limbs came down and the Department of Public Works responded and removed them. A total of approximately \$6,300 will be requested for reimbursement from FEMA.

There has been some coverage regarding whether or not the storm was blown out of proportion; as a municipal official, every storm must be taken seriously. The Saturday prior to the storm hitting, it was predicted that it would make a large impact on the region. The Fire Chief, Police Chief and Town Administrator met with counterparts in the surrounding communities to plan a response. Multiple conference calls were held several times throughout the day getting updates from various state agencies. On the morning of the storm, the Town was informed that the path was taking a more westerly approach and the impact would not be felt as much on the seacoast.

Town Administrator Fournier thanked the Fire Chief, Police Chief, Director of Public Works, John Savastano, Jan Facella, and all of the staff for their efforts during the storm.

The Governor's Advisory Commission on Intermodal Transportation (GACIT) will be holding a regional public hearing on October 11, 2011 in the Town Hall. This commission is made up of the Executive Council and the Commissioner of the Department of Transportation. The purpose of this hearing is to receive input on the 2013 – 2022 10-year transportation plans. Counselor Sununu picked North Hampton as one of the four communities in his district to hold the hearing.

The Town Clerk/Tax Collector is applying to the State of New Hampshire to become an authorized agent to register boats. If approved, this will allow people with boats to register them in town instead of going to other towns or substations. In addition, it may possibly help with an increase in revenues.

The Town will be hosting the last scheduled informational session for the public on the proposed Town Campus design. This session will be held on Saturday, September 24, 2011 from 9:00 AM to 11:00 AM at the Town Hall. The session will be an informal opportunity for the public to review the two proposals that were designed

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by WarrenStreet Architects for the renovations and construction of the various town facilities on Atlantic Avenue.

The Town Administrator stated that for approximately a year, he has been meeting with representatives from the Zoning Board of Adjustment to come up with a Services Agreement between the Town and the Zoning Board of Adjustment. The purpose of the agreement would be to outline the duties of the Planning and Zoning Administrator and the Building Inspector, as well as the relationship between the Boards and Staff. It was decided that an ad hoc committee would be formed made up of representatives of the land use boards, Selectman Wilson and the Town Administrator to review the job descriptions of these individuals and recommend updates to reflect changes in duties. Additionally, recommendations will be made on performance measurements for these departments. A review of the personnel policy to make recommendations to the Select Board on possible changes may need to be made to reflect this.

Town Administrator Fournier stated that Selectman Miller had asked him to review the process to move Town Meeting back to March from May. According to RSA 40:14, the Town would have to have a simple majority vote after a public hearing no more than 30 days but no less than 15 days before it is to be voted on.

Other warrant articles for the Town Meeting include the noise ordinance, large assembly ordinance and the article to allow the Planning Board to appoint members to the Heritage Commission.

Outstanding items from the August 22, 2011 Select Board meeting that do not have updates available are the Prescription Disposal Drug Program, Little River water testing, beach closure, Philbrook Pond and Bass Beach.

Chair Maggiore stated that the Select Board is now receiving monthly activity reports from the Police and Fire departments. He further stated that the police and fire departments respond to an enormous volume of calls.

## **6. New Business**

### **6.1 Road Reconstruction Proposals for Fiscal Year 2012 – John Hubbard**

Public Works Director John Hubbard stated that New Road will be completely reclaimed, graded and paved; Cherry Road will have approximately 900 linear feet of roadway reclaimed, graded and paved, with the entire roadway to receive a 1 ½" top surface. Highlander Drive will have an average of 1 ½" top surface course applied to the entire roadway.

Bidding results were as follows:

• Bourassa Construction, LLC	\$180,544.40
• Bell & Flynn, Inc.	\$182,000.00
• Pike Industries, Inc.	\$183,708.50

Mr. Hubbard recommended entering into an agreement with Bourassa Construction to complete the 2011 road reconstruction and paving project as per Town of North Hampton specifications.

**Motion by Selectman Wilson to accept the terms of the paving proposal with Bourassa Construction, and authorize the Town Administrator to execute an agreement to proceed with the associated roadwork. Seconded by Selectman Miller. Motion carries 3-0.**

### **6.2 Award of Fuel Bids for Fiscal Year 2012 – Town Administrator Fournier**

Chair Maggiore recused himself from item 6.2, as one of the bidders, Lamprey Energy, has donated to the softball team that he coaches, and he is directly responsible for solicitation of that donation. Chair Maggiore stated that Vice Chairman Wilson would now preside.

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Town Administrator Fournier stated that each year, the town requests fuel oil bids for heating oil, propane and diesel. This year the town received bids as follows:

	<u>#2 Fuel Oil</u>	<u>Propane</u>	<u>Diesel</u>
• D.F. Richard	\$2.39	\$1.93	N/A
• Downeast	\$3.3990	\$2.2990	N/A
• Hartmann	\$3.2975	\$2.2000	\$3.4400
• Hometown	\$3.37	N/A	N/A
• Irving	\$3.360	\$2.547	\$3.507
• Lamprey	\$3.19	\$2.49	N/A

Town Administrator Fournier stated that currently Lamprey Energy provides the town with all of the products. Lamprey Energy and D.F. Richard's bids came in as the lowest for oil; however, D.F. Richard has a fluctuating rate not to exceed \$3.19, so it could be lower. D.F. Richard has the lowest propane bid and Hartmann has the lowest diesel bid. Additionally, D. F. Richard's bid states that the rate will not exceed \$3.19 for fuel oil and \$2.19 for propane.

The propane tanks are currently owned by Lamprey Energy, but D.F. Richard is willing to purchase and maintain the tanks if they are awarded the bid.

Town Administrator Fournier stated that the town is seeing an 80 cent increase in oil prices over last year and a 26 cent increase in propane. The current budget includes monies for a small increase in oil but usage will be monitored.

Selectman Miller stated that letters were received from D.F. Richard, Hartmann Oil, Irving, and Lamprey Energy along with their bid. He further stated that Lamprey Energy had also submitted an explanatory letter soliciting the Select Board's good will. Selectman Miller stated that although he appreciated that Lamprey Energy has been a good citizen, the letter is a sticking point for him. He further stated that the Select Board is faced with the dilemma of an exceedingly aggressive bid from another company. Selectman Miller stated that he would hate to think that the Select Board did not take advantage of something that offers the town something that is only upside, and only from one vendor.

Selectman Wilson stated that every year when he is buying his fuel oil, he tries to go out and negotiate things, and what he has discovered is that virtually any company will give you a lower price to get you to switch. The question then becomes what will happen next year. He further stated that he didn't know if perhaps D.F. Richard was offering the Town this mechanism in order to get them to switch.

Selectman Wilson stated that in his mind he finds it very difficult to turn down the lowest bid for the propane, because that is 30 cents below in any circumstances; a minimum of 30 cents below the other fixed prices.

**Motion by Selectman Miller to propose that the Town award the #2 Fuel Oil contract for fiscal year 2011-2012 to D.F. Richard based on the Town Administrator's staff report of September 12, 2011, and the Propane contract for 2011-2012 to D.F. Richard based on the Town Administrator's staff report of September 12, 2011, and accept Hartmann Oil Company's proposal for the Ultra Low Sulfur Off-Road Diesel for 2011-2012 based on the Town Administrator's staff report of September 12, 2011. Seconded by Selectman Wilson. Motion carries 2-0.**

### 6.3 Lease Purchase Agreement for Fire Department Engine – Chief Cote

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Chief Dennis Cote stated that for the past three and one half months, he has been engaged in talks with several manufacturers of fire apparatus. One of the goals that the Chief was looking at was purchasing a truck with a shorter wheel base. Chief Cote stated that the only company that fitted the specifications was E-One.

E-One was able to bring a "demo" truck for the Chief to view as well as drive. The truck that was test driven is a new design that incorporates a shorter wheel base, increased storage compartments, ergonomic design and in the Chief's determination the best all around and most complete design for the department.

Chief Cote stated that bids received were as follows:

- Pierce Fire Apparatus      \$479,000
- E-One                              \$445,000
- Rosenbauer America      \$415,000

Some differences that were compared between vehicles included the equipment that was specified. The issues addressed the fire department's specification for a short wheel based vehicle, vehicle storage in the station, as well as turning radius and maneuverability.

Chief Cote stated that two of the three manufacturers met the requirements specified. Another requirement specified was a light tower for scene illumination at night. All three manufacturers provided light towers as requested but one light tower only had two lamps while the others came equipped with as many as six, thereby increasing the scene safety.

Chief Cote stated that the biggest difference between the bids received from Pierce Fire Apparatus and E-One compared to Rosenbauer America, other than the price difference, is that the vehicle from Rosenbauer has a 2007 emissions cabin chassis, which was prior the new standards were put in diesel motors; this change added about a \$25,000 to \$30,000 difference in cost to fire apparatus. The other two cabin chassis that were looked at is the up to date, environmentally friendlier, vehicles.

Chief Cote stated that with the Select Board's permission, he would like to move forward with the purchase of the E-One Emax Engine.

Selectman Wilson asked Chief Cote if there were performance differences between the trucks with respect to the turning radius, the wheel base, the ability to carry the equipment that is needed, where the pump is located and the light tower.

Chief Cote stated that the Rosenbauer vehicle does not provide a short turn radius to the same degree as the E-One.

Selectman Miller asked how the financing is being handled.

Chief Cote stated that he would be meeting with the Town Administrator to go over the different options that are available.

Selectman Wilson stated that the Town is constrained to pay the finance charge because of the State of New Hampshire Department of Revenue's wording of the warrant article.

Selectman Miller asked if the Town Administrator to contact the Department of Revenue to see if perhaps they would allow the Town to purchase the vehicle rather than lease, due to the fact that the intent of the warrant article has been carried out.

**Motion by Selectman Wilson to accept the bid from E-One Emax through Greenwood Emergency Vehicles for \$445,000 in a five year lease and authorizing the Town Administrator to execute the agreement not to exceed \$480,000, with the proviso that the Town Administrator shall also investigate**

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**whether it is possible to pay off the lease early and save financing costs. Seconded by Selectman Miller. Motion carries 3-0.**

**Motion by Selectman Wilson to suspend the Select Board rules of ending the meeting at 9:00 PM, and proceed to the end of the agenda. Seconded by Selectman Miller. Motion carries 3-0.**

6.4 Request by LOCO Sports for Road Detour for Smuttynose Rockfest Half Marathon – Mike St. Laurent

Mr. St. Laurent was not in attendance at the meeting

**Motion by Selectman Wilson to table this item until the next Select Board meeting. Seconded by Selectman Miller for discussion. Selectman Wilson stated that he would like to have the Chief's opinion on whether or not this new route is going to solve the problems that he confronted. Chair Maggione stated that he would like to make it clear to Mr. St. Laurent that he is only approved for the race he originally proposed. Motion carries 3-0.**

6.5 Select Board Work Plan Outline 2011-2012 – Selectman Wilson

Selectman Wilson presented and reviewed an outline of proposals that he would like the Select Board to review and offer feedback on. Topics included in Selectman Wilson's proposal included:

- Solve LGC Problem vis a vis North Hampton
- Performance Management System and Process, Designed, Developed, Implemented by June 30, 2012
- Total Compensation Survey Completed in Time for Use in Negotiations
- 2013 Town Wide Revaluation Plan and Process Completed by December 31, 2012
- Town Financial Controls Documentation Completed by December 31, 2011
- Annual Budget Development and Presentation for Town Meeting
- Citation of IRS rule allowing pre-tax payment of employee share of healthcare premiums secured by September 30, 2011
- Warrant Article Development and Presentation for Town Meeting
- Eliminate Little River and North Hampton State Beach Bacterial Contamination
- Control Flooding of Town Roads during Storm Events

6.6 Pole License

(This item was removed from this meeting's Consent Calendar and placed under New Business.)

Selectman Miller had questions relating to acronyms on the plan submitted from Public Service of New Hampshire. Town Administrator Fournier verified that "URD" meant under the road.

## **7. Closing Comments**

7.1. Closing Comments by Visitors

7.2. Closing Comments by Select Board Member

Selectman Miller spoke about areas in the town complex that has a lot of deterioration, and is in need of repairs.

Selectman Wilson suggested giving the Town Administrator an action item list to delegate as he sees fit, and to report back to the Select Board with a list of maintenance items that he feels needs to be taken care of.

Town Administrator Fournier stated that one of the major items that will be replaced is the furnace in the fire station with a cost between approximately \$30,000 and \$40,000.

## **8. Adjournment**

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**Chair Maggiore adjourned the meeting at 9:55 PM**

Respectfully submitted,

Janet L. Facella  
Administrative Assistant

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## North Hampton's Old Town Hall

To: Town of North Hampton, Town Campus Hearing  
Date: August 25, 2011  
From: Paul Cuetara, Heritage Commissioner  
Re: On behalf of the Heritage Commission

Good day! I am Paul Cuetara, one of the Heritage Commissioners. My wife and I built our house in town in 1971. During my life here I have served on the Conservation Commission, Planning Board, interim member of the Select Board, and Moderator of both Town and School for many years. Our children went to school here and this is our home.

New Hampshire RSA 674:44-b provides that towns may establish a Heritage Commission. Among the responsibilities of that Commission is general advisory and review authority to advise local agencies on matters affecting historical and cultural resources. It is incumbent on a Heritage Commission to proactively conduct research and publish findings as the need may arise.

The North Hampton Select Board has released information about suggestions to create a "town campus" of the community buildings. The two proposals presented are the result of various concepts suggested over the past several months. A recent news story indicated that the more expensive plan, of the two ideas, leaves the "Old Town Hall" located where it is now. I am here this morning to share some relevant history to help frame the parameters of this proposed project. I am here to make a case for **NOT moving the Old Town Hall and jail from where it is today!**

The Old Town Hall is one of the earliest public structures in the town. It is the third "Meeting House", built in 1844. Each new structure used many of the timbers from the previous buildings (1734 & 1762). There are many of these beams in the current building. The bell C.181~~66~~, cast in the Paul Revere foundry in Boston, was installed from a prior Meeting House. The Old Town Hall has stood through times of war and peace as a monument to the people of North Hampton. An important factor in the historical significance of this structure is its physical location. In the ~~hay~~ hey day of the town, this was our town center with general store, post office, railroad station, and affiliated structures. This current complex offers a reminder of this town in by-gone times. In recognition of that theme, this building has undergone virtually a total restoration coordinated by the Old Town Hall committee, and using annual allocations provided by the townspeople. This building was added to the New Hampshire State Register of Historic Places. May 1, 2006.

Several years ago 2004 the "Old Town Hall" was deemed unsafe to use. Concerned citizens and Town leaders sought guidance to determine the future of this building. The Select Board

## North Hampton's Old Town Hall

appointed a committee in 2006 to study the building and make recommendations to the Board. It was also determined that the Town Hall could not be used for elections as it lacked handicapped access as well as the known structural concerns. This committee included representatives of the Select Board, Heritage Commission, Historical Society and other town boards. The members were Ben King, George Chauncey, Jane Palmer, Richard Goest, Goeselt, Steve Miller, Craig Soloman, Richard-Maybe and Paul Cuetara who was elected Chair.

A multi-year plan was developed. This plan was well received by the Select Board and the Town has demonstrated support through annual contributions to the work in the budget. This committee determined through interviews, conversations and input from many town residents that keeping the Old Town Hall is of value to the community. In keeping with historical renovation guidelines, for this Greek Revival building, the year of 1890 was selected as the period to use as a guide for the work. The deterioration of the building had limited its use for meetings. The recommendation was to move forward with the restoration of this historical artifact, in phases, to its former glory over the next few years.

The first action the committee took was an informal investigation concerning relocating the structure. Both the Heritage Commission and the Historical Society representatives reported that their two groups supported leaving the building where it sits. After considering the choices the Old Town Hall Committee ~~eminously~~ unanimously concurred, settling that issue. They noted that the location is important to the Historical Significance of the building, and the old jail would be lost if the building were moved. Concurrently, the Town Meeting approved the first of many allocations for the repair of the Town Hall and maintenance of other Town Buildings.

Using the Emanuel Engineering study completed in 2007, the Committee created a plan to restore the building as historically and architecturally accurate as possible for 1890. We followed the Preserving Community Guide, published by the New Hampshire Historical Alliance and adopted 1890 as the target year because the best picture we have of the Old Town Hall was taken in 1890.

Over the past 6 to 8 years this historic structure has undergone major restoration. The work has included shoring the foundation, total renovation of the steeple, overhauling of the roof structure and roofing. More recently the interior has been stripped and the floor completely replaced. The walls have been upgraded to improve the ability for all to hear what is being said. During this phase, the facility was updated with a modern kitchen, offices for Recreation and community television, a handicapped ramp, ADA approved rest rooms, and much needed storage.

## North Hampton's Old Town Hall

To this point the Select Board has approved the investment of three hundred, forty-two thousand, four hundred fifty-four dollars (\$342,454). The results of this investment are a new life for an important Historical building in North Hampton.

Still to be done is work regarding the front to conform to the picture of this façade in 1890. Also, there is preliminary information that the concrete structure in place has led to damage of the front sill of the building. It is planned, that during the coming months, this phase of the project would be carried out. The Old Town Hall Committee will be meeting, in late summer, to evaluate the project and make suggestions for future needs, as appropriate.

The only change to the Committee's plan was that the outside was painted through the volunteer efforts of a submarine crew visiting in Portsmouth. This cosmetic effort makes the building look new. However, the Committee realizes that, in time, the clapboards will need to be replaced. The plan is to replace the "quarter-sawn" clapboards, presently on the exterior, with a similar product.

Good progress has been made so far. The pace, at times, has not been as fast as some might have wanted, but there has been steady progress to what we have today. The building has already been used for an election, numerous meetings including televised meetings of the Select Board, Planning Board, and Zoning Board of Adjustment, Recreation Department activities, and other functions, with positive feedback

The People of the community have a right to be proud of this monument of our local history. More importantly, it was done without borrowing money, guided by a Committee that believes that this is a part of our history to be enjoyed for generations to come.

**To relocate this venerable structure is inconsistent with the Old Town Hall committee's recommendation. The North Hampton Heritage Commission agrees, and has voted to oppose any option that would result in the moving of Town Hall. This Commission is asking the North Hampton Historical Society and Planning Board to also vote in support of our position. Moving this now fully functioning building would disrupt Town operations, harm the building physically, and result in the destruction of the historic jail cells.**

Thank you and I am willing to answer any questions you might have. If I cannot provide an appropriate response today I will get back to you as soon as I can.