



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

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REGULAR MEETING –MONDAY, JUNE 24, 2013 –7PM  
NORTH HAMPTON 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*

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**1. Call to Order**

Chair Maggiore called the meeting to order at 7:00 PM. Those in attendance were Selectman Wilson and Selectman Miller. Town Administrator Apple was absent from the meeting due to a family emergency.

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

Chair Maggiore stated that RSA 91-A allows a member of a public meeting to attend by phone.

**Motion by Chair Maggiore to allow Town Administrator Apple to participate in the meeting via telephone pursuant to RSA 91-A II. Seconded by Selectman Wilson. Vote by roll call: Wilson-Aye, Maggiore-Aye, Miller-Aye. Roll call vote: 3-0**

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

2.1 Select Board Minutes of June 10, 2013

**Motion by Selectman Miller to approve the minutes of June 10, 2013 as amended. Seconded by Selectman Wilson. Motion carries 3-0.**

2.2 Select Board Minutes of June 19, 2013

**Motion by Selectman Wilson to approve the minutes of June 19, 2013 as amended. Seconded by Selectman Miller. Motion carries 3-0.**

**3. Consent Calendar**

*No Items*

**4. Communications to the Select Board**

4.1 Correspondence from Public Service of New Hampshire

Chair Maggiore read a letter from Public Service of New Hampshire that listed the street lights that were requested to be removed in the Town of North Hampton.

Selectman Miller asked that Town Administrator Apple check to be sure the list is accurate, and there were no transposed numbers.

4.2 Correspondence from Local Government Center

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Chair Maggiore read a letter that was received from the Local Government Center, Chair Thomas Enright, thanking the Select Board for the letter they recently sent to him.

Selectman Wilson stated that the letter received was in response to the Select Board's letter to the LGC regarding a face to face meeting with Mr. Enright to voice their concerns about the kind of leadership they were going to pursue in a permanent executive director.

Selectman Wilson stated that he and Town Administrator Apple met with Mr. Enright on June 18, 2013 at 8:00 AM. Selectman Wilson stated that he went to the meeting knowing that he would only be allowed one hour due to a scheduled hearing at the LGC, and arrived fully organized and prepared to discuss what the Select Board saw as problems that the LGC HealthTrust had gotten itself into because neither the most recent Executive Director, Maura Carroll, nor the prior Executive Director, John Andrews had any experience in managing an insurance company of any size. In addition to the Executive Director, there was a 31 member Board of Directors comprised of representatives of municipalities, schools and one county who also had very little knowledge of the insurance business.

Selectman Wilson stated that the LGC agreed with most everything he mentioned except for the fact that they should hire an Executive Director with knowledge of the insurance business, because there are a lot of people within the LGC that have insurance knowledge, and they can advise.

Selectman Wilson further stated that it is his opinion that the proposed reorganization of the LGC will not get them back on course, nor will it accomplish what the legislature envisioned when they authorized the formation of health insurance pools. The purpose of the pool was to provide insurance to the municipalities of the state, efficiently and cost effectively.

#### 4.3 Correspondence from Rockingham Planning Commission

Selectman Wilson stated that the RPC is updating the 1996 Corridor Management Plan for the New Hampshire Coastal Scenic Byway, and are assembling a Project Advisory Committee consisting of representatives from each of the corridor communities. Mr. Cliff Sinnott's letter contained an invitation to the Town of North Hampton to appoint a representative to serve on the committee.

Chair Maggiore read a letter that was received on June 24, 2013 from Jarrod Patten, 1 Fern Road. Mr. Patten expressed in his letter that he would like to donate a trailer hitch to the police department so that they may move the speed trailer from location to location. The current hitch that the police department owns does not fit on the new cruisers, and there are no available funds in the budget to purchase a new one.

Chief Page thanked Mr. Patten for his generous donation. He further explained that the two vehicles that had the trailer hitch on them have been replaced and the Crown Victoria hitch will not fit the new Ford Explorer. Chief Page stated the importance of being able to move the trailer to various locations around North Hampton to remind everyone of their speed.

Mr. Patten stated that he was before the Select Board to ask that the donation be granted. He further stated vehicles exiting off of Route 1 onto Fern Road are traveling at a high rate of speed.

Selectman Wilson stated that several people at the charrette mentioned the problem with speeding throughout the town, and he wondered if perhaps the town should purchase another speed trailer.

Chief Page stated that the cost of a speed trailer is between \$6,500 and \$10,000. Selectman Wilson suggested adding that to the Capital Improvement Plan.

**Motion by Selectman Wilson to accept the donation from Jarrod Patten of \$352.50 for a trailer hitch to facilitate the police department's movement of the reader board about speeding to various locations in the town. Seconded by Selectman Miller. Motion carries 3-0.**

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## 5. Report of the Town Administrator

Chair Maggiore stated that this would be the last Town Administrators report for the fiscal year. He stated that the Town Administrator and the department heads have done a commendable job in getting the town to the finish line.

Chair Maggiore stated that as of June 18, 2013 the amount left in the budget is \$209,963. The goal is to return \$75,000 at the end of the year, leaving a net of \$134,963.

Tom McCormick, Town Accountant discussed the finance report and encumbrances that total \$19,398.78. He explained that a total of \$15,500 were monies for Social Service agencies, and the remaining \$3,898.78 for the police department.

Selectman Wilson stated that because the Seacoast Visiting Nurses and Hospice are no longer not-for-profit agencies, those amounts should be deducted from the total.

**Motion by Selectman Wilson to authorize the encumbrance of funds as listed on the schedule received in the amount of \$11,248.78 which represents a deduction of \$6,150 for the scheduled donation to the Visiting Nurses Association and a reduction of \$2,000 for the scheduled donation to Seacoast Hospice. Seconded by Selectman Miller. Motion carries 3-0.**

Chair Maggiore stated that the Select Board had received a work proposal for the accountant's office.

Mr. McCormick stated that the proposal is to "close in" the accountant's office to ensure more privacy and to lessen the noise level that is desperately needed. He further stated that this was only one quote, and that they would contact others for bids.

Selectman Wilson suggested tabling this item until further information has been received.

Selectman Miller stated he wanted to be sure that any invoices that are due in June are paid before June 30 with the funds coming from the current budget.

Selectman Miller asked if Chief Page could speak to the Emergency Dispatching issue that was on the Town Administrator's report.

Chief Page stated larger communities in the state are stating that they need a break on their county taxes because they do not utilize the services of Rockingham Dispatch. Towns could face a "user fee" with an estimate of \$5,000 to \$6,000 for North Hampton, if the County Commissioners force the issue on the towns.

Chief Page recommended inviting State Representative Michelle Peckham to a Select Board meeting and explain to her what is going on, and to see if she could take a position for North Hampton as a State Representative.

Finances  
Committee Nominations  
Technology Inventory  
Statistical Update  
Municipal Facilities Update

Personnel  
Personnel Plan  
Merit Pool Policy  
Finance Policies  
Hampton Rod and Gun Club

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Status of DOL Citation  
Storm Water Regulations  
Joint Loss Safety Plan  
Junkyard Closures/New Problems  
Pay Grades for Non-Organized Employees

Reconstruction Town Clerk Building  
Facilities  
Earned Time Policy

## **6. New Business**

### **6.1 Large Assembly Permit – National Multiple Sclerosis Society**

Kim Blanchard, Development Coordinator for the National Multiple Sclerosis Society stated to the Select Board this will be the fifth year that her organization has held the bike ride. Cyclists are given the option of riding the 60 mile race or the 25 mile race, and only those that participate in the 60 mile ride race will travel through North Hampton.

Selectman Miller asked Chief Page if there was a need to hire a Special Detail Officer.

Chief Page stated that he has not required a Special Detail Officer in the past, and would not recommend or require one for this ride.

**Motion by Selectman Miller to approve the Large Assembly Permit Application submitted by the National Multiple Sclerosis Society for the Bike MS NH Seacoast Escape Ride on August 24, 2013. Seconded by Selectman Wilson. Motion carries 3-0.**

### **6.2 Appointment to Energy Committee**

Chair Maggiore stated that he received a letter from Scott Williams of 129 Walnut Avenue requesting to be appointed to the Energy Committee. Mr. Williams stated in his letter that he is active and was present at most meetings over the past year, and is committed to finding innovative ways to reduce both town energy costs and produce a cleaner environment.

Selectman Wilson stated that he had worked with Mr. Williams on an unrelated project, and his impression is that he is intelligent, capable and glad that he has stepped up to volunteer.

**Motion by Chair Maggiore to appoint Scott Williams to the North Hampton Energy Committee for a term that will expire in March, 2014. Seconded by Selectman Wilson. Motion carries 3-0.**

### **6.3 Appointments to Municipal Facilities Committee**

Chair Maggiore stated that two weeks ago, the town held a charrette in the Town Hall to consider possibilities for the municipal complex. Approximately 100 residents attended and gave their input. The charrette was organized by Plan New Hampshire. At the end of the second day of the charrette, they came up with a suggestion for what the municipal complex/campus could look like. The plan included a safety complex located on what is known as the "Homestead Property." Behind the current Town Clerk's office would be administrative buildings and a library, with the front of the buildings slated for green space. The town hall and Town Clerk's office would remain as it is, however the police/fire station and library will be razed.

The members of Plan New Hampshire also strongly encouraged the installation of a sidewalk from the North Hampton School to the municipal complex.

Chair Maggiore stated as part of the CIP report, the charrette was supposed to produce a "Master Plan," which was then supposed to go to a Municipal Facilities Committee, which would then refine the plan, get quotes and move it forward so that committee could submit to the Select Board a plan which would then go to the voters on the March ballot. The CIP report states that this should be completed by August 31, 2013. Chair Maggiore stated that the suggestion that this go before the voters in March is firm.

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Chair Maggiore stated that at the last Select Board meeting on June 19 the board discussed the charrette and what the Municipal Facilities Committee would be charged with. The committee would consist of five residents of the Town of North Hampton to “push the ball forward.”

Selectman Wilson stated that it should be emphasized that this committee will provide a charge based on the Select Board’s directions. He further stated that the Select Board endorsed the Plan New Hampshire proposal, but with two caveats, or provisos.

Selectman Wilson stated that the first proviso is that it is financially feasible. He stated that the Select Board is not endorsing the specific square feet recommendations, they are just endorsing the layout of the municipal facilities and that the Municipal Facilities Committee is to take it to the next step.

The second proviso is that the Select Board is not endorsing building a library unless the library raises the funds they have committed to pay, which is essentially 50% of the cost to build and furnish a library.

Chair Maggiore read the proposed charge of the Municipal Facilities Committee as follows:

**The Select Board endorses the Plan NH proposed Municipal Facilities Master Plan, provided that the cost to construct the plan is reasonable and prudent and the Library Trustees can raise sufficient funds to construct a new library. The Board’s support is for the placement of proposed buildings on the Atlantic Avenue property and is not an endorsement of the square footage estimates used by Plan NH in creating the Master Plan. In order to ensure that the Legislative Body may review and approve the Master Plan at the earliest possible date, the Board hereby constitutes a Facilities Committee with the following charge:**

**The Committee shall consist of five (5) residents of the Town of North Hampton, who shall meet together, subject to the requirements of the Right to Know Law, to determine, in conjunction with architectural and design professionals, (1) the appropriate space needs for each functional area; (2) a reasonable aesthetic in keeping with the Town’s vision of its rural, New England heritage; and (3) cost estimates for the project that ensure value and frugality.**

Selectman Wilson stated that because two of the five original potential appointees have declined to serve, and that none of the alternates have responded, he would suggest rewriting the last paragraph.

**Motion by Selectman Wilson that the Select Board adopt the following resolution to establish a Municipal Facilities Committee: The Select Board endorses the Plan NH proposed Municipal Facilities Master Plan, provided that the cost to construct the plan is reasonable and prudent and the Library Trustees can raise sufficient funds to construct a new library. The Board’s support is for the placement of proposed buildings on the Atlantic Avenue property and is not an endorsement of the square footage estimates used by Plan NH in creating the Master Plan. In order to ensure that the Legislative Body may review and approve the Master Plan at the earliest possible date, the Board hereby constitutes a Facilities Committee with the following charge:**

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**The members of the Committee include Susan Hills, Richard Stanton and Jim Maggiore. The remaining two members of the Committee and up to five (5) alternates shall be appointed as soon as possible at the pleasure of the Select Board. At the pleasure of the Committee, alternates may participate in the deliberations of the Committee but shall not vote unless seated as a result of a member’s absence.**

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**The Committee shall make its final report to the Select Board no later than August 31, 2013. Seconded by Selectman Miller.**

Discussion:

Hope Miller asked for clarification on the funds that are required from the Library Trustees.

Selectman Wilson stated that the understanding has been 50% of the total cost.

**Motion by Selectman Wilson to add a parenthetical statement after the word “sufficient” that states, i.e. 50% of the total cost of constructing and furnishing a new library. Seconded by Selectman Miller. Motion carries on this parenthetical statement 3-0.**

Discussion:

Kathleen Kilgore, 220 Atlantic Avenue asked the Select Board to describe what qualifications the Select Board is looking for in the candidates as members of the committee other than just “being residents.” Mrs. Kilgore further asked Chair Maggiore if he was serving as a resident or as a Select Board representative on the committee.

Chair Maggiore stated that he would be serving on the committee as a Select Board representative.

Selectman Wilson stated that the Select Board felt it was important for the residents whom the board appointed to the committee, to have lived in town for a significant period of time, because they have been paying taxes living with the current town facilities and services and would know more about the feeling of the town about this than individuals that are residents of the town for only a few years.

Mrs. Kilgore asked if the members being chosen for the committee will be represented geographically “across the whole town.”

Chair Maggiore stated that the board did not think geographically rather they had an idea of getting a committee that had a broad range of opinion.

Mrs. Kilgore asked if this was an oversight, or if the Select Board did not think about it, or did the Select Board “not think it might be well served to do that.”

Chair Maggiore stated they welcomed anyone that has the interest to serve. The Select Board received three letters from interested people to serve, and brainstormed for other residents they felt who represent a broad range of opinion.

Mrs. Kilgore stated that she was “just thinking from an overrounded [sic] perspective as opposed from just coming from a certain place.”

Selectman Miller stated that if anyone is interested in serving on the committee, to please contact the Select Board or Town Administrator Apple.

Chair Maggiore stated that he is not trying to dissuade anyone, but there are going to be a lot of meetings, long meetings or a combination of both. He further stated that he wants the people who are going to serve to understand that it is going to require time, attention, energy and input.

Selectman Miller stated this includes the alternates as well, because if someone cannot attend the meeting that does not mean the meeting will be cancelled; the alternates will be seated at the meeting. The committee is charged with getting the “marching orders” to the Select Board in two months.

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Selectman Wilson stated the committee will be electing their own chair and vice chair, and the Select Board expects them to report on their progress at every Select Board meeting.

Selectman Wilson stated in response to Mrs. Kilgore's questions, that in discussions, the board was also looking to the qualifications that the board knew about people, or that they expressed in their letter of interest. He further stated that Richard Stanton has served very well on the Zoning Board of Adjustment, Budget Committee and the CIP Committee. The letter received from Susan Hills stated that she has her MBA as well as a variety of experiences that are very relevant to making these types of decisions.

Jim McCoole, Glendale Road stated that putting the municipal complex into a tiny neighborhood will make a negative impact on some of the residents in that area. Mr. McCoole asked if there are any intentions of bulldozing the road from the back of the complex into Glendale Road.

Chair Maggiore stated that he did not believe he saw anything on the proposed plan to indicate that. He stated that there would be access at the back of the homestead property off of Alden Avenue.

Selectman Wilson stated there was a lot of discussion at the charrette to make sure that the development behind the homestead property is very adequately screened from whatever is built there with what he assumes would be vegetative buffer and fencing.

Mr. McCoole stated he was concerned with an access driveway off of Alden Avenue as it is a "very tiny neighborhood" with very young children. He further stated many times he had to approach people that are speeding, and putting a complex in that small neighborhood concerns him greatly.

Selectman Wilson stated that the proposed plan envisioned is to have the access for the police and fire department employees; it is not the general public access to the site. The general access to the site will be off of Atlantic Avenue. Selectman Wilson further stated that the meeting was not the place to try and redo the proposed plan that came out of the charrette. The Municipal Facilities Committee meetings that will be held are public meetings, and Selectman Wilson encouraged residents to attend.

Harold Mailhot, 10 Glendale Road stated he and his wife have "almost gotten clipped" coming out of Alden Avenue, and if a cruiser is going to come out of Alden onto Atlantic and someone is coming up over that hill and isn't seen, they are going to be "wiping out a lot of cars coming down Atlantic Avenue" and the town is really looking for trouble.

Selectman Wilson stated that exit for emergency vehicles would not be onto Alden Avenue. Emergency vehicles for police and fire are envisioned to be exiting onto Atlantic Avenue.

Mr. Mailhot stated he felt it is foolish to be going into a "big complex" when street lights are being shut off in town. He further stated that there are going to be people that have to move out of town because they cannot afford the taxes.

Mr. Mailhot stated that someone is going to get hurt having cruisers and fire trucks going through Glendale Road.

Selectman Miller stated the cruisers and fire trucks will not be going through Glendale Road. They will be exiting the safety complex onto Atlantic Avenue.

Wally Kilgore, 220 Atlantic Avenue stated that he is vested in the town, as well as improving the fire and police departments situation, and the library. He further stated that "the thought of putting a 24 hour per day facility in the middle of neighborhood" is a concern that he feels has not been fully vetted or had concerns addressed. Mr. Kilgore stated that he watches the traffic go in and out of Alden Avenue, and has witnessed a lot of near collisions. He further stated that the plan that was proposed at the charrette shows police cruisers exiting out onto Alden to get onto Atlantic, and it is "frightening." Mr. Kilgore stated that the plan that the charrette came

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up with shows all of the entrances and exits onto Alden. He further stated that the lot does not support the size of the facility that is to be constructed there, and it is going to impact the neighboring homes dramatically.

Mr. Kilgore stated he appreciated the people from Plan NH volunteering their time, but felt they came with a preconceived set of notions and did not listen to the residents. He further stated he does not see how the impact on the surrounding neighbors can be mitigated.

Mr. Kilgore stated he will be involved in this process, will be vocal and respectful, but does not consider the charrette plan thoroughly vetted.

Hope Miller asked how the general public is supposed to know about this committee and how they can volunteer. She further stated that not everyone has internet access to the town website and suggested placing an item in the newspaper.

Selectman Wilson stated that the proposed design presented by Plan NH was not a final design for the configuration, it was only blocking out the space.

**Motion carries 3-0.**

6.4 Acceptance of Donation to Police Department from Jarrod Patten

*(Secretary's Note: This item was taken up under Correspondence to the Select Board.)*

6.5 Approval of Raffle Permit for Veterans Count Club

Chair Maggiore stated that the Veterans Count Club has applied for a raffle permit to be held on November 11, 2013 and will be held at Seacoast Harley Davidson.

Selectman Miller questioned whether or not the Easter Seals would need a Large Assembly Permit because they will be selling up to 500 tickets, and wondered if that many people would be in attendance when the ticket is drawn.

Selectman Wilson suggested added a proviso to the raffle permit application that states after the sale of 500 tickets, or no later than November 11, 2013 provided that there is an approved Large Assembly Permit for the date in which they are planning on holding the drawing.

The Select Board asked Chief Page to comment.

Chief Page stated that he did not have any knowledge about the organization, but based on the sale of up to 500 tickets there is the potential to have many people gathered to watch the drawing. He recommended that they at least apply for a Large Assembly Permit, and have it approved just in case there are more than 150 people gathered for the drawing.

Selectman Wilson suggest tabling this raffle permit application and ask for more information from the Veterans Count Club, such as what are the plans for conducting the drawing and what it is that is being raffled.

Chair Maggiore tabled item 6.5 until the next public Select Board meeting.

**Motion by Selectman Wilson to waive the rules of procedure for the Select Board and proceed with conducting new business after 9:00 PM. Seconded by Selectman Miller. Motion carries 3-0.**

6.6 Approval of Year End Purchases

*(Secretary's note: This item was taken up under Report of the Town Administrator.)*

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## 6.7 Village District of Little Boar's Head Discussion of Concurrent Jurisdiction

Chair Maggiore stated the attorneys for the town and for Little Boar's Head have come up with a solution that addresses the issue of concurrent jurisdiction for Little Boar's Head Zoning Board and the Town of North Hampton Zoning Board. He stated that if something isn't addressed at the Little Boar's Head Zoning Board, it can be addressed by the Town of North Hampton's Zoning Board. If a situation should arise, whatever that may be, that isn't addressed by either board, Little Boar's Head accepts the case, but it needs to come to the town. The town may not necessarily hear the case because the issue of concurrent jurisdiction has not been addressed.

Chair Maggiore stated the Town of North Hampton's Zoning Board is looking for direction on how to address an issue of concurrent jurisdiction. The short term solution before the Select Board, is to allow both boards to continue to operate as is, with the proviso that any issue not covered by the Little Boar's Head Zoning Board that is covered by the Town of North Hampton's Zoning Board, will have the Town of North Hampton's Zoning Ordinances apply. Currently that is not the case. The attorneys for both sides feel that the issue has been addressed where cases can be heard and those cases can be resolved. The overarching and larger issue of having two Planning Boards has not been resolved and would in the legal opinion, take legislative action.

Selectman Wilson stated that his understanding despite the lawyer's opinions is very different. He further stated that as he understands the legislation that established the Little Boar's Head District. Therefore, the Town of North Hampton has no jurisdiction over them whatsoever. For the town to say that wherever Little Boar's Head does not address a planning or zoning issue in whatever regulations and ordinances they have, seems to him to have no validity in law.

Selectman Wilson stated that his personal preference is to adopt an amendment to the Zoning Ordinance that defines the Little Boar's Head precinct as a separate zoning district in the Town of North Hampton. The zoning ordinance, site plan and subdivision ordinances would then be what they want. What Little Boar's Head has now, could be used and adopted as the requirements that apply to the Little Boar's Head District of the North Hampton Zoning Ordinance. The North Hampton Planning Board and Zoning Board would then deal with their own issues. Selectman Wilson stated he would suggest establishing a standing committee of the Planning Board, and would act on any application from that zoning district in the Town of North Hampton and make a recommendation to the North Hampton Planning Board. He stated he would suggest the same for the Zoning Board of Adjustment, and feels getting a permanent solution is better than the short term solution that may end up causing a lot of legal troubles.

Selectman Miller suggested taking the attorneys out of this and sitting down with the commissioners of Little Boar's Head and fix the situation.

## 7. Closing Comments

### 7.1 Closing Comments by Visitors

*No comments*

### 7.2 Closing Comments by Select Board Member

Selectman Wilson stated that the CIP Committee talked at length about the municipal complex and the relative merits of establishing a committee to move forward and do something, or doing something that might be a bit more difficult and likely to cause problems. Once everyone has a chance to have their say you can move forward much more expeditiously. He further stated that this evening's meeting proves that you have got to deal with these problems on the front end because if you wait to do it on the back end it becomes even worse. Selectman Wilson stated that it is important to have people that are either skeptics or have concerns, to come out and voice them and have them addressed in the proposal, and put to the voters.

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Selectman Miller stated that skeptics are important, but so are advocates. He further stated there is a cost of doing nothing. There may be people that say that the town can't afford this, but they don't understand that they are spending the money; it is just not being spent now. The longer things go on; the debt keeps increasing and results in passing the debt on to a later time.

Selectman Miller stated that the project is going to take financing and this is the right time to finance while the money is cheap within the next 18 to 24 months. Waiting until financing is twice the rate is not going to help anybody.

Selectman Miller stated that not everyone is going to be happy with building a safety complex, and we cannot please everybody.

Chair Maggiore thanked all of the Department Heads and the Town Administrator for working hard to provide the town with the best services possible.

Chair Maggiore encouraged residents to send in their comments via email or letter that voice their concerns.

**7. Adjournment**

Chair Maggiore adjourned the meeting at 10:00 PM.

Respectfully submitted,

Janet Facella