



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

REGULAR MEETING –MONDAY, AUGUST 26, 2013 –7PM
NORTH HAMPTON TOWN HALL

1. Call to Order

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

Chair Maggiore led the Pledge of Allegiance.

2. Approval of Minutes of Previous Meetings

2.1 Select Board Minutes of August 12, 2013

Motion by Selectman Miller to approve the minutes of August 12, 2013 as amended. Seconded by Selectman Wilson. Motion carries 3-0.

2.2 Select Board Non-public Minutes of June 19, 2013

Motion by Selectman Wilson to approve the minutes of the Non-Public Session of June 19, 2013. Seconded by Selectman Miller. Motion carries 3-0.

3. Consent Calendar

3.1 Abatement of Taxes: Tax Map 013, Lot 008

3.2 Approval of Participation in Primex Workers' Compensation and PLT Contribution Assurance Program

3.3 Signature of Cemetery Deeds

Motion by Selectman Wilson to accept the Consent Calendar as presented. Seconded by Selectman Miller. Motion carries 3-0.

4. Communications to the Select Board

No Items

5. Report of the Town Administrator

Finances

Technology Inventory

Statistical Update

Finance Policies

Hampton Rod and Gun Club

Status of DOL Citation

Personnel

Personnel Plan

Merit Pool Policy

Reconstruction Town Clerk Building

Earned Time Policy

Storm Water Regulations

Town Administrator Apple reported that overtime in the Fire Department from August 1 through August 15 was 201 hours, the Police Department, 176.5 hours and the Public Works Department, 0.5 hours.

Town Administrator Apple asked the Select Board if they had reviewed the proposals for a geotechnical investigation on the homestead property and were prepared to make a motion to approve John Turner Consulting, Inc. per recommendation of John Ricci.

Motion by Selectman Wilson to accept the proposal from John Turner Consulting, Inc. for \$4,200 to do the geotechnical work for the homestead property in preparation for potentially building a municipal building on it, and to authorize Town Administrator Apple to sign on behalf of the Select Board. Seconded by Selectman Miller. Motion carries 3-0.

Town Administrator Apple stated that Vision Appraisal would be sending out letters to taxpayers prior to the end of August with their new proposed assessed value.

Town Administrator Apple advised the Select Board to hold onto the refund from the LGC until such time a decision has been made regarding the Coalition Communities. A hearing is set for September 17, 2013.

Selectman Wilson stated the LGC situation had become more complex in the past week. The five separate boards are proposing to reconstitute their "LLC's" that were formed in Delaware illegally as not for profit companies in the State of New Hampshire under RSA 292. There are serious questions about the legality of doing so. The LGC's bylaws state if they disband as organizations, that are supposed to return all of the assets to the member communities, and they are proposing to make this change without doing so.

Selectman Wilson stated it is alleged that in 2003 when the LGC went to Delaware and formed their LLC's , they should have lost their not for profit status with the Federal IRS. The LGC is now trying to get back into the corporate structure without effectively dealing with the problems that raises.

Selectman Wilson stated that he suspected within the coming weeks there will be more significant legal challenges for the LGC, and what they are trying to do.

Selectman Miller stated that the budget committee is going to be asking for figures regarding costs for mutual aid assistance and overtime for fire and police, as well as the number of call firefighters the town has. He suggested reporting on the call firefighter information on a monthly basis as to how many calls they responded to and how many call firefighters were used.

The Select Board discussed whether or not the current police station could be renovated and reused or whether it was beyond repairs.

Town Administrator Apple stated that it was Mr. Ricci's opinion that the buildings could be renovated, but he could not say they would last for 50 years, and further, if it was renovated would it be cost effective.

Selectman Wilson discussed Chief Page's monthly report regarding motor vehicle stops and speeding. Chief Page reported to the Select Board that due to the inability to expend excessive overtime on court appearances, more "warnings" versus "tickets" are being issued.

6. New Business

6.1 Paving Prices for Fiscal 2014 – Public Works Director Hubbard

John Hubbard stated he was before the Select Board to seek permission to extend the paving bid schedule with Bourassa Construction through FY14. Bourassa Construction has been the low bidder on the last two yearly paving bids, and has successfully completed the associated pavement maintenance projects. He further stated Bourassa Construction and the asphalt company are willing to hold their prices at what they used last year.

Mr. Hubbard stated that Bourassa Construction consistently puts forth quality work and has been accommodating to the Public Works Department's schedule.

Motion by Selectman Miller to extend the paving bid from Bourassa Construction through FY14, and to authorize the Town Administrator to execute the necessary paperwork. Seconded by Selectman Wilson. Motion carries 3-0.

6.2 MS4 Presentation – Aubrey Strause, Verdant Water

Aubrey Strause, from Verdant Water, PLLC introduced herself to the Select Board and stated she would be reviewing the MS4 (Municipal Separate Storm Sewer System) .

Ms. Strause stated that the MS4 is a federal permit issued by the USEPA Region 1 located in Boston. The MS4 permit for the town was issued in 2003 and expired in May 2008, but is still administratively enforced. Municipalities are required to continue submitting annual reports and maintain compliance until a new permit is issued.

Ms. Strause reviewed the components of the MS4 permit, as well as the pending new requirements. The SWPPP (Stormwater Pollution Prevention Plan) requires mandatory monitoring of all maintenance garages, DPW/Highway facilities and waste handling facilities.

Ms. Strause stated that there is good news, in that the permitting will allow more flexibility as the EPA has announced its intent to work better with municipal budget cycles.

Ms. Strause recommended that North Hampton do the following:

- Review list of outfalls; delete any that do not meet definition and update map
- Review regulatory mechanisms to confirm that they meet three requirements of the 2003 MS4 Permit
- Review IDDE (Illicit Discharge Detection and Elimination) program, provide cross training with multiple departments
- Develop operating and maintenance procedures that can be used at many town facilities and provide training to staff
- Prepare to file Notice of Intent for coverage when the new permit is finalized

Town Administrator Apple stated that Ms. Strause had submitted a proposal regarding her assistance to the town with the MS4 application, and she reviewed that proposal with the Select Board.

Selectman Wilson suggested asking FB Environmental if they would like to bid on this project, as the town has done a considerable amount of work with them on other projects.

6.3 Proposed Fire Department Fees – Chief Cote

Chief Cote stated that he was asked to compare fees for services provided in North Hampton with those of surrounding communities.

Chief Cote stated that the majority of permits issued are for residential homes and not commercial businesses, and if the consensus is not to charge for residential permits, the amount of revenue collected for commercial businesses would be very minimal.

Selectman Wilson stated the current proposed list of fees was much more acceptable than the prior version. He suggested a change to the Blasting Permit fee to \$250 and \$350, as he would like to see an incentive for people who are planning on building, to find every other alternative to blasting before resorting to that as a means of construction.

Motion by Selectman Miller to accept the fee structure effective September 1, 2013, as presented by Chief Cote, and to accept the amendment proposed by Selectman Wilson of \$250 and \$350 on the blasting permits. Seconded by Selectman Wilson. Motion carries 3-0.

Motion by Selectman Wilson to suspend the rules in order to conduct business after 9:00 PM. Seconded by Selectman Miller. Motion carries 3-0.

6.4 Aquarion Water Company

John Walsh and Carl McMorran from Aquarion Water Company presented the Select Board with a PowerPoint presentation.

Mr. McMorran explained the water infrastructure throughout Hampton, North Hampton and Rye. Capital improvements from 2007 through 2012 have included the installation of 1,478 feet of main from Well 10 to Winnicut Treatment Plant; Main Replacements at I-95 Bridge, Mill Road (Hampton line to Pine Road), Pine Road, Pond Path to Rye line, Atlantic Avenue (Mill Road to Woodland Road) and Atlantic Avenue (Woodland Road to Maple Road).

Capital Improvements also included redeveloped wells 10, 14, 17, 20 & 21; replacement of pumps at wells 8A, 12 & 20; installed VFDs at wells 8A & 12; replaced production meters and checked valves at wells 8A & 14; replaced chemical feed pumps, chemical analyzers and instrumentation; replaced seven hydrants, eight service lines, three valves and 2,122 meters.

Mr. Walsh explained the rate increase and concerns customers have. The next rate increase is scheduled for 2016 or 2017, and Aquarion will try in earnest not to increase their rates more than 10%. He further stated his intention is to keep open communication with the Water Commission, Select Board and Town Administrator so that there are no surprises when it comes to rates.

Mr. Walsh stated Aquarion Water company is committed to serving Hampton, North Hampton and Rye in providing safe drinking water 24/7 for domestic use and fire protection at the lowest reasonable cost.

Selectman Wilson asked Mr. Walsh what he considered to be a reasonable cost.

Selectman Wilson asked Mr. Walsh several questions regarding water meter replacement costs, return on equity, surcharges, depreciation of assets, and hydrant costs.

Henry Fuller, Co-Chair of the North Hampton Water Commission discussed the increased costs of hydrants since he was elected to the commission in 1980.

Bob Landman, Co-Chair of the North Hampton Water Commission discussed water flows and hydrant costs as well as the need to do something to stop the ever increasing costs.

6.5 Public Hearing: Acceptance of Donations for repainting Pickle Ball Court at Dearborn Park

Chair Maggiore opened the Public Hearing at 10:05 PM.

Motion by Selectman Wilson to accept the \$300 in donations for the repainting of the pickle ball court and to accept the proposal from Vermont Tennis Court Surfacing to repaint one existing set of pickle ball lines, and the installation and painting of a new set for \$500. Seconded by Selectman Miller. Motion carries 3-0.

Chair Maggiore closed the Public Hearing at 10:06 PM.

7. Closing Comments

7.1 Closing Comments by Visitors

7.2 Closing Comments by Select Board Member

Selectman Wilson stated at a prior Municipal Facility Committee session, he asked the Chair of the Library Trustees when in the material that was presented to the CIP Committee over the last two years, as he recalled there was only one town with a library of about 14,000 square feet, and the next largest libraries were in the range of 7,000 square feet. Selectman Wilson stated that he was told by the Chair of the Library Trustees that no, there were several in the range of 14,000 square feet.

Selectman Wilson stated that he went back and checked his CIP materials presented by the Library Trustees and noted that there was only one town with a library slightly over 14,000 square feet, and the next closest one was in the range of 7,000 square feet.

Selectman Wilson stated that he believes in facts, and does not want the record to be incorrect.

Selectman Wilson stated that he is concerned because the library is still asking for approximately 12,000 square feet and feels that is asking too much of the town residents, and there is still much work to be done.

7. **Adjournment**

Meeting adjourned at 10:15 PM.

Respectfully submitted,

Janet L. Facella