



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

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**REGULAR MEETING –MONDAY, SEPTEMBER 23, 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*

**1. Non-Public Session, Pursuant to RSA 91-A:3, II(e) Regarding Pending Litigation – 6:30 PM**

**2. 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.

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

Chair Maggiore led the Pledge of Allegiance.

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

3.1 Select Board Minutes of September 9, 2013

**Motion by Selectman Miller to approve the minutes of September 9, 2013 as emended. Seconded by Selectman Wilson. Motion carries 3-0.**

3.2 Select Board Non-Public Minutes of September 9, 2013

**Motion by Selectman Wilson to approve the Non-Public Minutes of September 9, 2013. Seconded by Selectman Miller. Motion carries 3-0.**

**4. Consent Calendar**

4.1 Cemetery Deed Signatures

4.2 Approval of Restoring Map 008, Lot 019 to Pre-Merger Status (*Secretary's Note: This item was placed under New Business by Select Board vote of 3-0.*)

Selectman Wilson stated he had questions on item 4.2 and would like to move it under new business.

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

**5. Communications to the Select Board**

5.1 Correspondence from Comcast

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Chair Maggiore read the letter into the record. A copy of said letter will be attached to the minutes.

Chair Maggiore stated he had received two letters via the website on Friday, September 20, 2013 from Kathleen Kilgore, and read them into the record. A copy of said letters will be attached to the minutes.

**6. Report of the Town Administrator**

Finances	Personnel
Technology Inventory	Personnel Plan
Statistical Update	Merit Pool Policy
Finance Policies	Reconstruction Town Clerk Building
Hampton Rod and Gun Club	Earned Time Policy
Status of DOL Citation	Storm Water Regulations

Town Administrator Apple reviewed overtime expenses in the Fire, Police and Public Works departments. He noted that Chief Cote would be before the Select Board in October with his overtime plan to finish the year without a deficit in that line item.

Town Administrator Apple stated the Finance Director is currently reviewing the draft financial statements and it is anticipated he will have a report for the Select Board in October.

A meeting with Senator Stiles on September 18, 2013 was held in regard to the removal of the Atlantic Avenue overpass. Members of the Heritage Commission and the Select Board attended along with two representatives from the New Hampshire Department of Transportation.

Senator Stiles has recommended that Chief Page attend the NHDOT ten year planning meeting in Epping on October 9, 2013 to argue for the inclusion of this project in the plan.

**Motion by Chair Maggiore to allow Chief Page to attend the NHDOT ten year planning meeting in Epping on October 9, 2013 to argue for the inclusion of the removal of the Atlantic Avenue overpass on behalf of the Select Board. Seconded by Selectman Miller. Motion carries 3-0.**

An estimate was received from FB Environmental for work on storm water regulations. The estimate was much less than the previous estimate, and given the town's long relationship with FB, the Town Administrator suggested retaining them and, proceed with the scope of work that was discussed in late August.

**Motion by Selectman Miller to authorize the Town Administrator to accept the estimate from FB Environmental with a maximum figure. (Secretary's Note: Motion is verbatim and no maximum figure given in the motion.) Seconded by Selectman Wilson. Motion carries 3-0.**

Town Administrator Apple met with the Budget Committee on September 18, 2013 to review actual expenses in FY 2013. A review of the proposed FY 2015 operating budget will be taken up on November 6, 2013. The unofficial guidance from the Budget Committee is an increase of no more than two percent. Estimates of fixed costs will result in a likely increase of nearly four percent. Department heads estimate that full funding for existing operations would result in a six percent increase.

Selectman Wilson suggested allowing Michael Coutu to speak regarding the audit work on the recent revaluation of the town.

Mr. Coutu explained the audit work that he and Selectman Wilson were working on, and reported their work is anticipated to be completed by Friday, September 27, 2013.

Selectman Miller asked if it would be helpful to budget monies over the next four years in order to complete a full measure and list of all town properties.

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Mr. Coutu stated that it is a considerable amount of money to spend, and he was not sure whether the benefit of a full list and measure would be significantly different than a statistical review.

Chair Maggiore asked Chief Page to comment on his written report regarding school traffic challenges.

Chief Page stated that the traffic situation had become better over the past few weeks after sending out a letter to parents regarding drop off and pick up of their children.

Chief Page continues to monitor the situation and will report any updates in the situation to the Select Board.

Chair Maggiore stated that the Town Administrator had received a Large Assembly Permit request on September 23, 2013, that falls outside of the 30 day prior to the event deadline.

Brenda Smith, spokesperson for My Breast Cancer Support, stated she appreciated the Select Board allowing her late application on the agenda. She further stated she is seeking their approval to allow her event to leave from Seacoast Harley Davidson and proceed south on Route 1 into Hampton. The event is slated to begin at 11:00 AM on October 6, 2013, and will then travel through multiple towns and end at Red Hook Brewery in Portsmouth.

Selectman Miller asked Ms. Smith if she agreed to the terms in Chief Page's memo, and she stated she did.

Selectman Wilson confirmed with Ms. Smith that her organization is a non-profit agency with 100% of the proceeds going directly to the cause.

Chief Page stated this organization has always been very cooperative in the past, and once Ms. Smith found out about the Large Assembly Permit she acted immediately to rectify the situation.

Selectman Wilson stated he was surprised that given the number of applications for Large Assembly Permits from Seacoast Harley Davidson, they are still submitting applications late.

Chair Maggiore suggested sending a letter to Seacoast Harley telling them it is their responsibility to get the word out to their event organizers regarding the 30 day application deadline.

**Motion by Selectman Miller to approve the Large Assembly Permit with the conditions set forth by Chief Page, and that the Building Inspector/Code Enforcement Officer also sign off on the permit, for My Breast Cancer Support. Seconded by Selectman Wilson. Motion carries 3-0.**

## **7. New Business**

### **7.1 Public Hearing - Approval of Receipt of Portable Radio, Distribution Part III – Chief Brian Page**

Chief Page stated he was before the Select Board to receive their approval to allow the Chair to sign the documents regarding the receipt of one (1) APX 7000 single band portable radio.

**Motion by Selectman Wilson to allow Chair Maggiore to sign the documents associated with the receipt of one (1) APX 7000 single band portable radio. Seconded by Selectman Miller. Motion carries 3-0.**

### **7.2 Adoption of Resolution Regarding Municipal Facilities Committee**

Chair Maggiore read the following resolution into the record:

“Whereas, the North Hampton Municipal Facilities Committee, consisting of Jim Maggiore, Rick Stanton, Susan Hills, Judy Day and Tom McManus as members, and David O’Heir, Kelly Parrott, Henry Fuller and James Sununu as alternates, has finished the work charged to them by the Select Board; and,

Whereas, the Committee accomplished the significant work of developing space recommendations,

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aesthetic considerations and preliminary cost estimates within a mere six weeks; and,

Whereas, the Committee's dedication to the Town's affairs, including the important issue of the state of our facilities, on a voluntary basis is an example of good citizenship to all the people of the Town of North Hampton; and,

Whereas, the Select Board is grateful to the Committee for their work and dedication;

Now therefore, the Select Board in and for the Town of North Hampton does hereby commend the Committee for a job well done and thanks them on behalf of the Board and their fellow Citizens.

And further, the Board directs that this Resolution shall be spread upon the Minutes of the Town as a permanent record of the matters herein described.

Done in the Town of North Hampton on this twenty-third day of September in the Year 2013, in the two hundred and seventy-first year of the Town."

**Motion by Selectman Wilson to approve the resolution. Seconded by Selectman Miller. Motion carries 3-0.**

### 7.3 Street Light Removal – Appledore Avenue

Chair Maggiore stated he had received a request from Vin Carbone to replace the street light that had been removed on Appledore Avenue.

The Select Board asked Chief Page to comment.

Chief Page stated that Mr. Carbone originally emailed him with his concern over the street light being removed, and felt that a recent accident happened because of the removal.

Chief Page stated that he did not agree with Mr. Carbone regarding the recent accident, as he has seen accidents happen under street lights, in the middle of the day, as well as the middle of the night on a very dark road. He further stated it is his opinion the accident Mr. Carbone refers to was not because of a street light issue, it was a driver issue.

Chief Page stated that if the Select Board were to authorize replacing the Appledore Avenue street light, then they should be prepared for all of the requests from residents to replace all of the lights that were taken down.

No votes or action taken.

Chair Maggiore thanked Mr. Carbone for his volunteer efforts in the town.

Chair Maggiore stated he would like to go back to a letter that was received under Communications to the Select Board from Kathleen Kilgore.

Chair Maggiore read a letter from Mrs. Kilgore asking the Select Board to provide an update of the current expenditures associated with the municipal complex.

Town Administrator Apple stated the town has paid \$5,000 for the Charette; \$4,300 from John Ricci for his consulting work, which is consistent with the authorization given to the Municipal Facilities Committee.

He further stated the town had not received an invoice for the ledge work done on the homestead property, but should be in the mid \$4,000 range, and an invoice has not yet been received from Lavalley & Brensinger.

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Town Administrator Apple stated he would like to put together a list with a more specific accounting on the details of the project.

#### 7.4 Approval of Restoring Map 008, Lot 019 to Pre-Merger Status

Selectman Wilson stated he understands the landowner would like to be able to sell the lot as a buildable lot. In its current merger with this lot it would be eligible for what is known as back lot subdivision as it only needs 40 feet of frontage, not 175. He further stated he had no objections to granting the unmerging, but it might end up that the owner is not able to sell it as a buildable lot.

William Ashford, owner of Map 008, Lot 019 stated that the lot was merged prior to the zoning ordinances in 1966, therefore would only require a 40 or 50 foot frontage. He further stated that an abutter is ready to purchase the land from him.

Selectman Wilson stated the law is very specific in that it states "it shall not be deemed to cure any nonconformity with any existing land use ordinances. The question is what is considered "existing."

Selectman Wilson stated he was trying to protect Mr. Ashford's interests and it may be better to go with a back lot subdivision.

Mr. Ashford stated it has been a single lot of record since 1966, and has never been changed.

Selectman Wilson stated if that were the case he would recommend approving the restoration. He was concerned that Mr. Ashford gets what he wanted out of the restoration of the lot.

**Motion by Selectman Wilson to approve the restoration of Map 008, Lot 019 to its pre-merger status. Seconded by Selectman Miller. Motion carries 3-0.**

## 8. Closing Comments

### 8.1 Closing Comments by Visitors

Cynthia Swank spoke about a program being hosted by the North Hampton Historical Society entitled, "Architectural Styles in New Hampshire," on October 3, 2013 at 7:00 PM at the Town Hall.

### 8.2 Closing Comments by Select Board Member

Selectman Wilson noted that he and Mr. Landman received an invitation from Mr. Walsh at Aquarion Water Company to spend some time with him to discuss and address some of the issues that the Water Commission and the Select Board were concerned about.

Selectman Wilson stated that he and Mr. Landman had met with Mr. Walsh and Mr. McMorran from Aquarion Water Company that morning, and felt it was a very productive meeting. He further stated he came away with the feeling they were willing to work with them and they are committed to more transparency as they move forward.

Selectman Miller stated that he wished to make the case again that the Little Boar's Head concurrent jurisdiction issue is not something the Select Board chose to have happen. Present problems exist because of an artifact of history, and there now has to be a solution.

Selectman Miller stated the Select Board made a very cogent and simple solution to the Little Boar's Head commissioners. He further stated he felt it was important the citizens of the town understand there is nothing that the Select Board can do, however there is a solution that does not involve several attorneys and a festering problem forever, and the Select Board would like to resolve the issue prior to the next election. Unless there is cooperation from Little Boar's Head, this issue cannot be resolved without the election.

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9. **Adjournment**

Meeting adjourned at 9:23 PM.

Respectfully submitted,

Janet L. Facella  
Administrative Assistant

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