



TOWN OF NORTH HAMPTON, NEW HAMPSHIRE

APPROVED MINUTES

---

REGULAR MEETING – MARCH 24, 2014 – 7:00 PM  
NORTH HAMPTON TOWN HALL, 231 ATLANTIC AVENUE  
NORTH HAMPTON, NEW HAMPSHIRE

---

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

1. Call to Order by the Chair, Mr. Maggiore

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

Chair Maggiore led the Pledge of Allegiance.

2. Correspondence

*No Items*

3. First Public Comment Session: Public Comment is an opportunity for residents to ask questions, request information and make comments on issues facing the Town. Individuals ordinarily will be given not more than three (3) minutes to speak, and people who have already spoken will be asked to wait until everyone has had the chance to speak once. The total time devoted to this agenda item is fifteen (15) minutes. Individuals who are not able to speak will be given first opportunity to speak during the Second Public Comment Session at the end of the Meeting.

*No comments from the public.*

4. Consent Calendar

- 4.1 Abatement Application for Map 013, Lot 073-108
- 4.2 Hardship Abatement Application for Map 013, Lot 073-108
- 4.3 Veteran Tax Credit Application for Map 002, Lot 014
- 4.4 Veteran Tax Credit Application for Map 021, Lot 007-122
- 4.5 Veteran Tax Credit Application for Map 021, Lot 001-054
- 4.6 Veteran Tax Credit Application for Map 021, Lot 039

**Motion by Selectman Stanton to lay Consent Calendar item 4.2 on the table and to place it as a non-public item on the next agenda. Seconded by Selectman Miller. Motion carries 3-0.**

*Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.*

**Motion by Selectman Stanton to accept the Consent Calendar as published except for item 4.2 Seconded by Selectman Miller. Motion carries 3-0.**

*(Secretary's Note: Selectman Miller noted that Consent Calendar item 4.6 is listed incorrectly and should be listed as Map 021, Lot 007-039.)*

**5. Town Administrator's Report**

Town Administrator Apple reported current March expenditures total \$177,815. The total amount appropriated is \$5,858,492 with \$4,418,016 spent since July 1. The "burn rate" is currently at 25% remaining. When adjusted for the cash expenses made for the whole year the budget is essentially running flat, which is a substantial improvement over last year.

There are several areas of concern however; the legal budget is in deficit by nearly \$3,500. All of the overtime budgets are projected to be in deficit by the close of the fiscal year. Department heads have been instructed to reduce spending to only essential items as what was done last year. This effort, plus weekly monitoring will result in a surplus; but it is too soon to predict what that will be.

Selectman Miller reported on his first meeting with the Economic Development Committee, and Chair Maggiore reported on his meeting with the Heritage Commission.

**6. New Business**

6.1. Meet with Senator Peter Bragdon, Executive Director of the N.H. Municipal Association;

Chair Maggiore introduced Senator Bragdon and apologized for the error in that he is not Executive Director of the NHMA, but of the HealthTrust.

Senator Bragdon stated his visit to North Hampton was precipitated by a regulatory action and settlement agreement started by the Bureau of Securities, and included was a letter the Select Board had sent to the Bureau strongly opposing the settlement agreement. He further stated once he saw the letter he felt it would be appropriate to meet the Select Board and go over any questions they might have.

Senator Bragdon explained the details of the restructuring of the Local Government Center, HealthTrust, Municipal Association and the Property-Liability Trust.

Senator Bragdon stated due to some regulatory actions that were taken before he became Executive Director, enforcement actions were brought against the conglomerate and resulted in a number of various decrees from the Bureau of Securities. One of the actions had to do with the Property Liability Trust having to pay HealthTrust \$17 million. Over the prior years HealthTrust had subsidized the Property Liability Trust program and the Workers Compensation piece of it, which was a money losing proposition, apparently by design. The Bureau of Securities had determined that was improper and went to the Supreme Court. The Property Liability Trust was ordered to pay the HealthTrust \$17 million. The problem with the order is the Property Liability Trust did not have \$17 million, with net assets last October of approximately \$12.2 million. The HealthTrust then hired their own legal counsel specializing in these areas. It was determined the best course of action from the perspective of the HealthTrust board and the HealthTrust members in order to maximize how much could be collected in the short and the long run, was to have a settlement agreement where if the court ruled the Property Liability Trust had to pay out the \$17 million they did not have, they would turn over all of their assets, liabilities and coverage obligations to HealthTrust who would run it off and maximize as best it could in order to get as close to \$17 million as possible.

***Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***

Senator Bragdon stated it is the HealthTrust board's goal to get as much as possible back to the members as soon as possible, and that will remain the goal.

Chair Maggiore thanked Senator Bragdon for coming to the meeting as well as the background information he provided.

Selectman Stanton asked Senator Bragdon if the settlement will only be for \$12.2 and not the \$17 million.

Senator Bragdon stated it is safe to say the \$12.2 million was the status at the end of September 2013, and is quite certain between then and now that amount has grown, so it will be more than \$12.2 million, but at this time it will not be \$17 million.

6.2. Discuss Treasurer's Delegation of Authority, pursuant to RSA 41:29;

Town Administrator Apple explained the Treasurer retains ultimate authority and responsibility under the statute. The Treasurer is allowed on a day-to-day basis allow the Finance Department to do the depositing of the funds, investing, record keeping and reconciliation which would normally be functions of the Treasurer. Town Administrator Apple stated the delegation of duties provides for more efficiency and it is his recommendation to approve the Delegation of Authority.

The Select Board asked Town Treasurer Barbara Dewing if the document met with her approval and Mrs. Dewing stated it did.

Town Administrator Apple noted the only administrative change necessary, that at the time this delegation was authorized last year, Mr. McCormick was the Town Accountant, but has since become the Finance Director and needs to be changed on the document.

**Motion by Selectman Stanton to change the title of Town Accountant to Finance Director throughout the document. Seconded by Selectman Miller. Motion carries 3-0.**

**Motion by Chair Maggiore to approve the Delegation of Authority by the Treasurer to the Town of North Hampton Finance Department pursuant to RSA 41:29, VI. Seconded by Selectman Miller. Motion carries 3-0.**

6.3. Discuss Annual Adoption of Fraud and Investment Policy;

Selectman Stanton stated that each employee that receives a paycheck should be required to sign Fraud and Investment Policy.

Town Administrator Apple stated he would distribute copies to department heads for employees to sign.

**Motion by Selectman Stanton to approve the Fraud Policy as amended. Seconded by Selectman Miller. Motion carries 3-0.**

Selectman Stanton questioned Section V, why the Treasurer is not authorized to place public funds in participation units in the New Hampshire Public Deposit Investment Pool.

***Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***

Town Administrator Apple stated he would have to ask Mr. Coutu, who helped draft the policy why this was written into the policy.

Selectman Stanton asked why in Appendix A – Authorized Financial Institutions, there are only two banks listed.

Treasurer Dewing stated per the policy, the town must hold 50% of its funds in one bank, and 50% of its funds in another bank.

Town Administrator Apple stated at the time the policy was written, it was concluded that TD Bank and Citizens Bank were the two best.

Selectman Stanton stated he would like to see other banks looked at to make sure we are getting the best interest rates. He further stated his overall impression was that it is a very restrictive instrument on the treasurer seeking the best return and safety for the funds.

Selectman Miller stated it might be a good idea to have Mr. Coutu look over the policy with a fresh set of eyes.

Town Administrator Apple suggested adopting the policy with the condition that Mr. Coutu review, and or anyone else the Select Board sees fit, in order to continue with the regular pattern of adoption.

**Motion by Selectman Stanton to approve the Investment Policy as drafted. Seconded by Selectman Miller. Motion carries 3-0.**

6.4. Nominations Members of Heritage Commission.

**Motion by Selectman Stanton to approve the nominations of the following candidates to the North Hampton Heritage Commission: Donna Etela, full member, with a three year term; Jane Robie, full member with a three year term; Carolyn Brooks, alternate member with a one year term; Tibbie Field, alternate member with a one year term; Jeff Hillier, alternate member with a one year term; Nancy Monaghan, alternate member with a one year term. Seconded by Selectman Miller. Motion carries 3-0.**

7. Any Other Item that may legally come before the Board

The Board reserves the right to take action on any item relative to the prudential administration of the Town's affairs which circumstances may require.

The Select Board suggested having the Heritage Commission and Lauri Etela who drew the plans for the proposed renovations to the Town Clerk/Tax Collector's office come in to talk with the Board to go over the plans and review any questions.

8. Second Public Comment Session

See Item 2, above.

9. Minutes

9.1 March 10, 2014 (Regular Session)

***Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***

**Motion by Chair Maggiore to accept the minutes of March 10, 2014 as corrected. Seconded by Selectman Miller. Motion carries 2-0-1.**

9.2 February 13, 2014 (Non-Public Session I)

**Motion by Chair Maggiore to accept the Non-Public Session I minutes of February 13, 2014 as emended. Seconded by Selectman Miller. Motion carries 1-0-2.**

9.3 February 13, 2014 (Non-Public Session II)

**Motion by Chair Maggiore to accept the Non-Public Session II and II minutes of February 13, 2014 as amended. Seconded by Selectman Miller. Motion carries 2-0-1.**

9.4 February 13, 2014 (Non-Public Session III)

*Secretary's Note: See item 9.3 for motion*

9.5 March 10, 2014 (Non-Public Session I)

**Motion by Chair Maggiore to accept the Non-Public Session I and II minutes of March 10, 2014 as presented. Seconded by Selectman Miller. Motion carries 2-0-1.**

9.6 March 10, 2014 (Non-Public Session II)

*Secretary's Note: See item 9.5 for motion*

**10. Adjournment**

Chair Maggiore adjourned the meeting at 8:20 PM.

Respectfully submitted,

Janet L. Facella  
Administrative Assistant

***Disclaimer – These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***