

**BOARD OF SELECTMEN  
MEETING MINUTES  
JANUARY 11, 2010**

**PRESENT:** JAMES L. STEWART, CHAIRMAN; PRISCILLA R. LINDQUIST, SELECTMAN; RICHARD H. HARTUNG, SELECTMAN; SALLY THERIAULT, ADMINISTRATIVE ASSISTANT, TINA HARRINGTON, RECORDING SECRETARY

Kristopher Emerson, Code Enforcement Officer

Chairman Stewart called the meeting to order at 6:30 PM. It was not on Cable TV.

Selectman Lindquist made a motion to go into non-public session under 91-A: 3 II a – employee matters. Selectman Hartung seconded the motion. The vote was unanimous.

Kris told the board that a resident of Croy Path came in to his office today and said that Croy Path is a private road and the residents have always taken care of it. He said that this year, the town has been plowing and sanding it. The complainant is also a member of the Angle Pond Association that is concerned about the protection of the lake. He said they are concerned because the salt is running into the lake. The resident spoke to the Road Agent about it, and Mr. Worthen said he would take care of it. Another storm came and the salt came again. Kris checked the area today, and there is salt evident on the road. The resident said a town employee, working at the town garage, is a resident of Croy Path. Kris is concerned about the salt as a health issue, but felt the board should know about the complaint.

Chairman Stewart, as liaison to the Highway Department will speak to the Road Agent about it.

At 6:45, Selectman Lindquist made a motion to come out of non-public session. Selectman Hartung seconded the motion. The vote was unanimous.

Chairman Stewart called the regular meeting to order at 7:00 pm  
Present at the meeting: P. Williams, Chief Carrier, R. Gaudette, K. Colbert, State DOT Engineers

**Public Announcements**

- Tuesday, January 12<sup>th</sup>, Election for State Representative to be held at the Hampstead Town Office on from 8 a.m. to 8 p.m. It is also the final day to accept petition warrant articles (25 registered voter signatures are needed).
- Tuesday, January 12<sup>th</sup> the School Board will be holding its budget hearing for the School District at 7:00 p.m. at the Hampstead Middle School.
- Wednesday, January 13<sup>th</sup> 7:00 p.m. the Public Hearing on the budget will be held at the Town Office meeting room.
- Waste Oil, fluorescent light bulbs, car batteries and thermostats are collected at the Town Garage on the first and third Saturdays of the month. Books may be dropped off at anytime.
- Sign up for Public Office starts on January 20<sup>th</sup> and end January 29, 2010. The list is on the website and posted in the town office.

**Visitors Comments**

There were no comments

### Department Heads

*Recreation Commission- Kim Colbert-* Mrs. Colbert stated that she had two items with the first one being that there have been requests from some Recreation members and some residents to have a Beach Committee formed. This Committee would work with the Road Agent and Engineer on work that needs to be done at the beach. There are items beside the erosion issue and believed that this committee would be beneficial.

Selectman Hartung motioned to add an ad hoc committee known as the Beach Committee to focus on the erosion issue as well as other issues and to update the Selectmen.

Selectman Lindquist stated that Recreation is responsible for the beach and there are Recreation members asking to be on the committee. The members would be Kim Colbert, Brian Goode, Kitty Cole, Michelle Nadeau and Barbara Gallant. Selectman Lindquist seconded the motion and the motion passed unanimously. Chairman Stewart asked to be the liaison.

Mrs. Colbert noted that the second request is that the Recreation Commission would like to see a warrant article on the 2010 warrant for a Recreation Revolving Fund. This would be for recreation and senior trips. The governing body are listed as the agent's to expend. She also noted that on occasion the HRC receives donations and have had no format to accept. These would go into the revolving fund, if approved. Money collected for senior trips would go into the revolving fund as well. Selectman Hartung suggested that the wording be changed to read, all donations. Mrs. Colbert will change and get it to Mrs. Theriault.

*Police Department- Chief Beaudoin-* Chief Beaudoin stated that they have begun testing samples at the police department and are waiting for the results. He also noted that he is looking to have a warrant article or two, requesting two new officers. He is looking to do each officer as a separate warrant article with a cost of \$42,000 for each. The cost includes a salary for ½ a year, benefits, training, and equipment (bullet proof vest etc). Last year he had 2 officers in one article and it was defeated. If in two separate articles, he feels he might be able to get one if not both. Selectman Hartung was concerned with the way the second article listed "second officer" he wasn't sure what would happen if first one was defeated and the article for a "second officer" passes because there really isn't a second officer at that point. It was agreed to reword it.

Chief Beaudoin stated that he recently received notice that the Police Department received drug forfeiture money in the amount of \$3,709.00. When they are able to prove property was gained from an illegal activity such as drug dealing, they are able to receive payment when the asset is sold. In this case there was a 1999 BMW that was seized and sold. The Police Department receives a portion of the sale. The money is to be used for drug enforcement, drug education etc. It is deposited into a separate fund held by the Treasurer.

He also requested that the Selectmen appoint Bob Kelley as a detective. He stated that Mr. Kelley has stepped up to the position when Mr. Owen left and has done a great job. He is well respected and has been working as the acting detective.

Selectman Lindquist motioned to appoint Robert Kelley as a detective effective 1/11/10. Selectman Hartung seconded the motion and the motion passed unanimously.

### New Business

#### Department of Transportation – Culvert on Stage Road – David Smith-and Chris Deroucci

Mr. Smith and Mr. Deroucci explained that there is work scheduled to start this summer on Route 121 at the culvert south of Cambridge Road. The culvert is being replaced and there is federal and state money paying for the work. There is no town impact for costs, but there is a town impact on the construction. They explained the work to be done to the current culvert. They are looking to increase

the size from a 4 by 4 to a 6 by 8. It is 11 feet long and has a 2 foot shoulder and it should be 14 feet below pavement. With upsizing the culvert, they spent months studying the impact downstream, such as at Hog Hill Pond and believe that the increase in the size of the culvert will not impact the pond. They believe that Hog Hill Pond will be large enough to handle the extra flow and that it won't exacerbate the problem already there. The change needs to be done as soon as possible and they would like to send it out for proposal and get the work done over the summer. The question for the Selectmen is whether to close the road and get it changed in a couple of weeks, or leave one lane open, which would then take 3-4 months to complete the project. There is not enough room to allow traffic through and do the construction. If Stage Road is to stay open during the construction, they would need to look at a longer culvert, which would then change the specifications of the job and possibly the time to get it done. There are easements that they still need to do the project as presented, but more easements would be required if they left the road open, whereas the culvert would need to be longer and therefore take more land space. They also explained that a longer culvert would require a change in the permit. There was also discussion about the detour routes and asked the Selectmen for input. They will put up the notices at various locations to make the commuters aware of the detours. They would create the sign traffic and share it with the Town to make sure they are the right size and that the roads are correct. The DOT is recommending that the road be closed during the construction and asked the Selectmen for input. Selectman Lindquist asked about the easements. It was explained to her that on the map given to the Selectmen, the area in yellow is for easements to be purchased (stone erosion protection) and that the wing walls might be outside the ROW. Chairman Stewart asked about the impact upstream. The engineer stated that there are no elevation changes and that it is the same stream bed (not an open bottom, but a bottom with gravel) and the water moves into it and then moves on, the natural stone will absorb some of the water and the DOT sees no impact anywhere. The culvert will also allow for animal passage. Selectman Hartung asked if the scope of the job included guard rails. He was told that it couldn't be added to this one, but that there are other projects coming up in the area and maybe it could be added to them.

The Selectmen agreed that the best solution is to close the road for the two weeks and get the job done. The time frame would be before school starts and the traffic should be detoured down Emerson Avenue/East Road to Route 111 (where there are traffic lights). If the traffic is detoured down West Road to Route 111, there are no traffic lights and the traffic could back up. They would like to have the Road Agent, Police Chief, and Fire Chief give their input to closing the road. The DOT asked for a verbal approval tonight and then it could be reaffirmed later. They agreed to a tentative approval and will affirm it in two weeks at the next meeting after the Road Agent, Police Chief and Fire Chief have had time to review.

Review draft warrant articles for 2010- Mrs. Theriault presented the warrant articles that have come in to date. There are no planning board articles so the town budget begins at article 2. Article 3 is for a fire truck with the proceeds to be from a grant and the balance to be taken from the capital reserve fund. There is a note attached that there is no tax impact. There was concern with this being listed on the warrant and that it becomes a "boiler plate" for other articles. The issue is should the tax impact be on the article or not. Selectman Hartung explained that whereas the Fire Chief came from another town, that might be how they place items on the warrant. They agreed that they don't want to show the impact on the articles. Article 4 is to take \$150,000 from the capital reserve fund for a new ambulance. Article 5 is \$10,000 for the library building repair fund. Article 6 and Article 7 are for one new police officer each. It was agreed to take out approximately and to reword it to be the same as the 2009 article by adding to include training and equipment etc. Article 7 is for the second police officer, but the Selectmen asked for the "second" to be removed because of concerns if the first one fails, then there is no "second" officer. The wording is changed to be "another". The Selectmen would still like it verified that the wording is okay. Article 8 is funding for CLM (Center for Life Management). Article

9 is for funding for The Sad Café. Article 10 is a petition article that is asking for residents to approve the message that the voters vote on the definition of marriage.

There were some additional petition articles that were submitted but were returned for additional signatures and still have time to come in. The final day to accept petition articles is January 12<sup>th</sup>.

## Old Business

### Liaison Report

#### **Selectman Lindquist**

Heritage Commission/Historic Commission-Selectman Lindquist stated that there is money available to start the work to get the bell fixed. They will also start to paint the building. There was \$300 collected for the food pantry at the Ecumenical Service and a \$1000 donation from Pentucket Bank to the Historical Society.

#### **Selectman Hartung**

EMD- The H1N1 clinic held in Salem was very successful. Combined with the Hampstead clinic, around 1000 people were inoculated. The H1N1 is now available for all residents.

VFW- Colonel Steadman passed along that there are two annual contests through the VFW, one is the Patriot Pen which had 40 entries and 3 winners from Hampstead. Two of the three made it to the State level and one won the State level. There will be an award given out. It was also stated Kathe Cussen and Emily Wilson from HMS and HCS are going to Nationals after winning Educator of the Year.

Area Selectmen's Meeting is scheduled for January 14<sup>th</sup> in Atkinson. All three members will try to attend.

#### **Chairman Stewart**

Highway Department- The Highway Agent Handbook has had changes to update it and a copy was given to each member. There were no major changes, just basic corrections and updating of the RSA. The changes were underlined for the rest to observe. Chairman Stewart went over the changes and explained them.

Selectman Hartung motioned to accept the revisions. Selectman Lindquist seconded the motion and the motion passed unanimously.

### Administrative Assistant Report

457B Plan- Mrs. Theriault contacted that LGC again regarding a 457B plan and asked what liability there is to the town by providing only one company. The LGC would not put in writing what they had previously stated verbally and referred her to the IRS website. Mrs. Theriault will look into this further.

Town Report- Mrs. Theriault stated that she is starting to put things together for the town report and asked the Selectmen about a dedication page and whether or not they had anyone in mind. Selectman Lindquist stated that there doesn't need to be one, but that they would think about it. Sally also asked Chairman Stewart to work on the BOS letter for the Town Report.

Roads-It was recently discovered that Freedom Hill Road, Hutchins Path and Liberty Lane were in fact accepted by the town in 1983. This will be noted at the meeting on the 25<sup>th</sup> when the roads are being discussed for acceptance.

Accounts Payable- Mrs. Harrington is requesting that the payables change from a weekly process to an every two week process. It has been more time consuming than expected, as well as more costly due to printing of more checks and mailing them. The original process was to do payables on the Mondays that the Selectmen met and was changed to a weekly basis in the fall of 2009. If approved, the new process would be every two weeks, regardless of meetings. The Selectmen were okay with the change.

**Action Items**

- o Disposition of Municipal Records –
- o Meetinghouse exterior – Work is currently being done
- o Atkinson perambulation – Atkinson was sent to the State and Mrs. Theriault is waiting to hear from Kingston. The only Town that is not current is Danville. After that the cycle starts again in 2012.

**Appointments**

The openings on the various committees were announced.

**Correspondence**

Quid Pro Quo- A letter was received from Attorney Dowd regarding the request for q Quid Pro Quo for Ne San Corporation, owners of Emerson Village. It was agreed that each would review the request and discuss it at the next meeting on January 25<sup>th</sup>.

Follow up on Neil Lynch previous correspondence- Chairman Stewart stated that he has spoken with various groups regarding the stone wall and that he will follow up with Mr. Lynch. The stone wall that was removed from Lakeview Cemetery was within the cemetery, which is allowed, and the rocks are being stored at the Kent Farm transfer station. The cost to build a new stone wall along Kent Farm Road would be extremely costly and that volunteers would be an option to replace it. Selectman Hartung wasn't sure if the rocks from the inside wall would be enough for the wall along the road.

Department of Transportation- The paper work on the work for West Road and Route 111 is in the Selectmen's office for anyone to review. There is a public hearing on February 3<sup>rd</sup> at the town office to discuss the project. There is other work being done with a turning lane along Route 111 and Emerson Avenue.

**Visitors Comment**

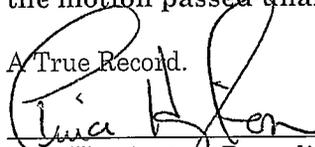
Chief Beaudoin stated that there was an excellent meeting with Mrs. Childs, the Selectmen and himself and that the transition of Animal Control to the Police Department has been smooth. He asked that all communications have the 329-5700 number to call for animal control instead of Mrs. Child's home number.

**Future Agenda Items**

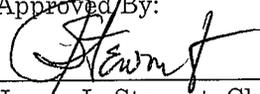
- Hampstead Senior Committee
- Town Manager form of Government

Selectman Hartung motioned to adjourn at 9:05 pm. Selectman Lindquist seconded the motion and the motion passed unanimously.

A True Record.

  
Tina Harrington, Recording Secretary

Approved By:

  
James L. Stewart, Chairman

  
Priscilla R. Lindquist, Selectman

  
Richard H. Hartung, Selectman