

**BOARD OF SELECTMEN
MEETING MINUTES
June 14, 2010**

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

Chairman Stewart called the regular meeting to order at 7:00 pm
Present at the meeting: P. Williams, Chief Beaudoin, J. Worthen, K. Colbert, S. Wentworth, K. Cole, N. Richardson, R. Clark

Public Announcements

- Saturday, June 26th annual fireworks display is starting at dusk at the Meetinghouse Park. The frog jumping contest and other events start in the early afternoon. The Miss Hampstead pageant starts at 7:00 pm
- Tuesday, June 29th the Cable Advisory Committee is sponsoring the John Penny Band at Meetinghouse Park starting at 6:30 p.m.
- Today is Flag Day and there will be a flag retirement ceremony at the Hampstead Fire Station on Tuesday June 15th.
- Waste Oil, fluorescent light bulbs, car batteries and thermostats are collected at the Town Garage on the first and third Saturdays of the month 8 am to 1 pm. Books may be dropped off at anytime.

Department Heads

Police Department, Chief Beaudoin-Chief Beaudoin explained that the St. Ann's road race is coming up as well as the town events on the 26th. He asked the Selectmen to waive the fee to have a detail officer for both. The Sp. Duty account will cover the costs for the detail officers.

Selectman Lindquist motioned to waive the fee for the St. Ann's road race and the Town of Hampstead fireworks. Selectman Hartung seconded the motion and the motion passed unanimously.

Road Agent, Jon Worthen-Mr. Worthen explained that he will be paving Moulton Drive on Thursday. The following roads will be paved next Thursday Brown Hill Road (top coat), Buttrick Road, and Bloody Brook Road. The Library parking lot is done except for painting the lanes.

Budget Committee

Chairman Stewart announced that there is a resignation from Jean Routhier from the Budget Committee. The resignation letter was read by Chairman Stewart.

Selectman Hartung motioned to accept the resignation of Jean Routhier from the Budget Committee with regret. Selectman Lindquist seconded the motion and the motion passed unanimously.

The Selectmen discussed how to fill the vacancy. They agreed to open the position to the public and if anyone is interested to contact Mrs. Theriault in the Selectmen's Office. The Selectmen will review all candidates. The term would go until the March, 2011, election. Mrs. McCormick asked if there is to be a deadline for the applicants. Selectman Lindquist suggested two weeks. It was agreed that applicants should submit something by June 25th by 12 and then they will discuss it at the meeting on the 28th. The next budget committee meeting is scheduled for July 8th.

Recreation Department- Kim Colbert, Chairman- Mrs. Colbert stated that the recreation summer program is still accepting sign ups. Overall the numbers that have signed up were good. She went on to explain that there has been a lot of work done at the Town Beach. The Daisies (Girl Scouts) and

their families recently spent time there planting flowers and raking the beach. Auger Property Maintenance has completed the work at the rock wall area. Ms. Ingraham is going to contact the Garden Club about planting perennials around the beach. Mr. Harms has updated the bathrooms and the roof. With all the work that was done it would be nice to keep the beach in good shape. There were recent incidents with people driving onto the beach to launch boats while people were on the beach. Mrs. Colbert wanted to know if a gate could be put up across the area where the boats back down? She said that she was told there was one there in the past. Selectman Lindquist stated that it was a problem having the fence there, which is why it is now gone. It was noted that there are residents that have specific reference in their deeds to being able to use the beach for launching boats, or accessing the water. According to Mrs. Theriault there are about 6 parcels that have this access. There are about 20 properties that have access to all of the Rights of Way (ROW), which would include the beach area. Mrs. Colbert asked where the right of way was and the size. She was told it is the strip that is paved and about 20 feet way. She also asked if these parcels had access at any time. Selectman Lindquist stated that the ones with access over the beach have access at any time. There are also hardship cases, which are people that have waterfront property, but are unable to get their boats into the water from their property. They can apply to the town for a hardship case, which would then allow them to put their boat in at the town beach. Chairman Stewart suggested a fence from the top of the beach to the water to allow boats to launch and it would take away about a 1/3 of the beach. It may make it look more like a ramp for the public as well. There was concern that there is not enough room. Ms. Richardson of Shore Drive stated that the conditions this year are different than in the past. With the water level low, the only place to lower the boat in the water is from the center of the beach. She did agree that more people are using it than should be. Chief Beaudoin stated that you could not restrict private property (the access that people have to the ROW). Ms. Richardson suggested that an email notice go out to the members of the Sunset Lake Association, to explain where the access is, to the right of the road, and educate them to treat the beach with respect. Mrs. Colbert would like them to respect the work that the town has been doing at the beach as well. Ms. Cole of the Sunset Lake Association said that the newsletter was going out this week and they could get the information onto it. Chairman Stewart suggested that they use the nice guy approach of sending the information into the flyer and said that they should also look at putting a chain with a padlock across the right of way and lock it while the lifeguard is on duty and when they leave for the day, unlock the chain and leave it open. It was agreed to move forward with the info in the Sunset Lake Assoc. newsletter and let the Beach Committee decide how to move forward. Ms. Cole asked if she could also give a public announcement. She pleaded for help around the lake to keep it healthy. She asked that people stop fertilizing because the fertilizer is running into the lake. She explained that this year the water has more weeds growing in it. She asked that people stop feeding the ducks, make sure septic systems are working properly, to stop bathing in the lake and to not dump sand in the lake. If anyone wants any further information they can be reached at SLAhampstead.org.

Dog Warrant- The 2010 Warrant for unlicensed dogs was given to the Selectmen for signatures. The warrant is for the civil forfeiture, which will go out on Friday per RSA 466:14.

Selectman Hartung suggested that the list be converted to pdf. and put on the website. Residents were reminded to contact the Town Clerk's office and let them know if they don't have their dog anymore.

New Business

Shoreland Protection Act - Kris Emerson-Mr. Emerson explained that he was here at the request of the Selectmen to explain the Shoreland Protection Act. He explained that the purpose of the Shoreland Protection Act (RSA 483-B) is to protect the water quality of the lakes and streams. The NH lakes, ponds and rivers contribute \$1.8 billion annually to the NH economy. The goal is to prevent erosion into the water bodies. Erosion carries soil into the water, which increases the nutrients and sediment. This then contributes

to excessive algae and weed growth reducing the clarity and quality of the water. The Act was enacted into law in the 1991 legislative session. It established minimum standards for the subdivision, use and development of the shore land along the state's larger water bodies. In 2008 the act was amended and several changes took effect. There are limitations on impervious surfaces defined as modified surfaces that cannot effectively absorb and infiltrate water such as roofs, decks, patios, paved, gravel or crushed stone driveways and walkways. There are also new vegetation maintenance requirements and the establishment of a permit requirement for many but not all construction, excavation or filling activities within the protected shore land.

Mr. Emerson explained that according to the State's website, there are three bodies of water in Hampstead that are subject to the CSPA (Comprehensive Shoreland Protection Act). They are Angle Pond which is listed as 150 acres with a surface elevation of 220 feet. The second one is Island Pond (Big Island Pond) which is 497.9 acres and has a surface elevation of 205 feet. The third one is Wash Pond (Sunset Lake) which is 151 acres and has a surface elevation of 228 feet. The surface elevation is the reference point, which as is known as the high water mark.

The protected shore land extends 250 feet landward from the reference point. There is a 0-50 feet waterfront buffer. New structures setback minimum is 50 feet. The 50 foot buffer must be maintained, tree coverage managed with a 50 by 50 grid and points system based upon the size of the trees and points assigned. A plan submittal is required for redevelopment. Points are based on diameter of the trees. A tree with 1 inch to 6 inches is equal to 1 point, 6 inches to 12 inches is equal to 5 points with 12 inches or larger equal to 10 points. The natural ground cover including leaf litter shall not be removed and no cutting or removal of vegetation below 3 feet in height. The stumps, roots and rocks must remain intact in and on the ground. Stumps may be ground down below grade but there can be no root removal. There are also fertilizer restrictions, only limestone can be used within 25 feet from the reference line. From 25-250 feet only low phosphate, slow release nitrogen fertilizer may be used. Fertilizer running off into the lakes increases the algae and weed growth in the water.

He explained the breakdown in the areas, at 0-150 feet is a Natural Woodland Buffer. This means that for lots over ½ acre, 50% of the area not covered by impervious surfaces shall remain in an unaltered state. The definition means native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing or other similar activities. For lots ½ acre or less, 25% of the area shall remain in an unaltered state.

From 0 -250 feet is The Protected Shore Land which has permits required for many construction, excavation and filling activities. Certain maintenance and low impact activities have been exempted which are listed on a separate sheet. New lots must have subdivision approval by DES (Dept. of Environmental Services). There are rules for non- conforming structures such as structures that do not conform to the provisions of CSPA may be repaired, renovated or replaced in kind as long as the footprint remains the same. Trees and saplings can be removed from the protected shore line and within the 50 foot buffer trees may be removed in accordance with the grid and point system. Within the 50 to 150 feet, trees removed must comply with the unaltered state requirement and there are no limitations on tree removal beyond the 150 foot mark. Trees that are dead, diseased, or unsafe such as limbs, saplings or shrubs that pose an imminent hazard to structures or have the ability to cause personal injury may be removed from the natural woodland buffer, but Mr. Emerson warned anyone that goes that way to take pictures and document what they are doing. The burden of proof is on the homeowner. He stated that it would be wise to have an arborist review before any work is done. Mr. Emerson suggested that anyone with questions go to the website <http://des.nh.gov/index.htm>, this links to DES- then look at programs to the left to water division and then shore land program. He stated that there is a lot of good information on the site. He can also be contacted with any questions at 329-4100 ext. 116 or by email at kris_emerson@comcast.net

The Selectmen thanked him for the information and clarifying it for them.

Amend Personnel Policy as it relates to Working Hours and Pay-Chairman Stewart stated that there are updates to the personnel policy to incorporate the new pay plan as well as other changes that have happened in the last year, such as the health insurance contributions. It was noted that there are proposed changes on pages 4, 6, 11, 12, 15 as well as page 16. The Selectmen were asked to review the changes and the policy for the next meeting.

Amend Compensation Policy- Chairman Stewart stated that there are a few amendments to add to the compensation policy, which he presented to the others. Under #8, the letters a, b and c are to be added. On page 2 there are 4 words to add. It was stated to get any changes to Mrs. Theriault so she can finalize the document. Once it is finalized by the Selectmen, it needs to be sent to the Wage and Salary Committee for review. The compensation policy needs to be added to the wage and salary policy. This is forwarded to the next meeting.

Memorandum of Understanding between Town and Regional Coordination Council for Community Transportation-Chairman Stewart asked if the memorandum meant that CART was being swallowed up. Selectman Hartung explained that CART was not going away and that this was more of a global sense. This memorandum allows a representative from the town to have someone sit on the Board of Directors. There is no promise of funding by signing the agreement. The Selectmen agree to review the paperwork and see if it can be discussed at an upcoming Area Selectmen's meeting. It is to be added to the agenda for a July meeting, which would be after the area meeting.

Old Business

Adopt Selectmen's Meeting Procedures- Selectman Lindquist presented a policy for holding Selectmen's meetings. Each member of the board read a section of the policy. Selectman Lindquist noticed there was a change to be made one is to remove NH before the RSA and to end the sentence at the end of the RSA and start the next sentence: At such meeting, all persons etc. Also need to add signature lines. The Board agreed that it was a decent policy and thanked Selectman Lindquist for putting it together. Selectman Hartung stated that they will need to abide by the policy. **Selectman Hartung motioned to adopt the Selectmen's Meeting Policy as amended. Selectman Lindquist seconded the motion and the motion passed unanimously.**

Liaison Report

Selectman Lindquist-

Code of Ethics- Selectman Lindquist pulled out the old Code of Ethics, as adopted by town meeting and showed the standards of conduct that was included. She asked that this be added to the current code of ethics. She also asked why it was not included into the current draft. Chairman Stewart stated that the majority of the committee felt that the code of ethics was more a conflict of interest than a code of conduct and did not include it. He felt that it belonged there and is happy to see it brought forward. Any change to the Code of Ethics requires town meeting vote. The amendment is to be labeled #F. Selectman Hartung was concerned with #C because an unwarranted privilege could be minute. Selectman Lindquist argued that it is up to the Ethics Committee to determine. This will be added to the warrant article for next March.

Selectman Hartung

Regional Hazmat- The annual meeting is to be held this month.

All Health Hazards-There was a meeting last week in which three representatives from Hampstead attended. They review the H1N1 response and reviewed future goals. There is some training coming up.

Continuity of Operations Plan- Selectman Hartung is meeting with Mrs. Theriault on Tuesday and they are currently soliciting input from departments. There was a question about the server back up and if it was in place yet. Mrs. Theriault explained that Mr. Pelletier is monitoring the price and waiting to see if it goes down before purchasing.

Chairman Stewart

School Board - The School Board is reporting unanticipated revenue and that they have been under spending their budget, which is leading to \$1,133,000.00 not being spent.

Budget Committee - The Budget Committee met last week and have put together a resource book for each of their members with information regarding budgets of the town and school. They thanked Mrs. Harrington for putting the books together for them.

Highway Department- Chairman Stewart explained that at a previous meeting there were complaints lodged against the Road Agent. He explained that the Selectmen met with Mr. Worthen in nonpublic, which minutes of were not sealed, and reviewed the issues. He read from a statement that stated there were some items of concern, which resulted in policy changes, one of the issues involved an employee no longer working for the town and the Road Agent following procedures set in place by previous road agents.

He emphasized that the Road Agent has the confidence of the Selectmen, and that they consider this matter behind them.

Administrative Assistant Report

Cursory review of energy suppliers

Mrs. Theriault conducted some very preliminary research concerning changing energy suppliers. She reviewed the PUC (Public Utilities Commission) and PSNH websites. She found a list of providers and information concerning deregulation, as well as a flyer about choosing an electric energy supplier. There are also a number of e-mails circulating between communities and what she was able to glean from that information was that a couple of towns that contracted with suppliers contract at a rate of .08 per kilowatt hour. We, the Town of Hampstead are charged .0889 per kilowatt hour, based on consumption we could save a little less than 1% of the supplier costs, which equates to approximately \$3,000 per year. As time allows she will continue to research this option.

FEMA update

Mrs. Theriault received verification today that the town will receive \$28,251.17 for the February, 2010, wind storm. Jon Worthen and Mrs. Theriault met with FEMA last Friday to submit the paperwork for the flood of March, 2010. The estimated total for the damages is \$4,500, with 75% being reimbursed by FEMA.

Disposition of Municipal Records

There has been continued discussion of the storage and disposition of municipal records. In order for the department heads to get a good understanding of what records need to be preserved or stored, they need to know when and what records can be disposed of. When Mrs. Theriault spoke with the TC/TC she said that the policy concerning the disposition of records is RSA 33-A:1. I would like the Committee to make that determination so that Mrs. Theriault can give the department heads copies of the RSA so that they can start to organize their files. In addition, we will need guidance concerning the destruction of the records, for instance will

the Town hire a company to dispose of the records or have a container/shedder located in the basement of the Town Office building and have an outside party certify that the records have been destroyed?

Selectman Lindquist stated that it is up to the committee to decide how to move forward. They will give direction based on the RSA and then they can have the various departments notified of what to do. She stated that it was a big job and needed to be done correctly. Mrs. Theriault will contact Mrs. Curran about setting up a meeting.

Month of surveys

Mrs. Theriault has provided the necessary wage surveys to LGC and the NHDOL(NH Dept. of Labor)

Minutes

The meeting minutes of May 10 and May 24th have been signed and are ready for approval. **Selectman Lindquist motioned to approve the minutes of May 10, 2010, and May 24, 2010, as amended. Selectman Hartung seconded the motion and the motion passed unanimously.**

The Selectmen reviewed the activity log. Item #3 can be removed. #2 is being worked on, #4 report due late August, #5 Update with date changed to 6/28. #6 Add amendment with town meeting date, #7 Generator is put out to 7/30, #8 will review the various policies she received from other towns. #9 need to correct the spelling, #10 Mrs. Theriault started the process today by doing the payroll with Mrs. Harrington and #11 added for the memorandum of understanding.

Correspondence

Appointments

- Call for candidates :
 - Ordway Park, full members and alternates
 - Cable Committee volunteers
 - ZBA, alternate (1)
 - Solid Waste and Recycling Committee
 - Capital Improvements

There was a request for a resident to be appointed to the Dam Committee. The Selectmen meet with him before the meeting and would like to appoint him.

Selectman Lindquist motioned to appoint James Mize to the Dam Committee. Selectman Hartung noted that Mr. Mize was his neighbor, but didn't realize he was applying, seconded the motion. The motion passed unanimously.

Visitors Comment

There were none present.

Future Agenda Item

Energy Committee
Hampstead Senior Committee
Town Administrator

Non-public RSA 91A:3 II (a) employee matters

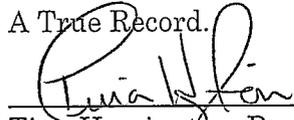
Selectman Lindquist moved to go into nonpublic under RSA 91-A: 3 II (a) employee matters at 9:08 pm. Selectman Hartung seconded the motion. A roll call vote was taken. Selectman Lindquist: yes, Selectman Hartung: yes, Chairman Stewart: yes.

Selectman Lindquist motioned to come out of nonpublic at 10:12 pm. Selectman Hartung seconded the motion. . A roll call vote was taken. Selectman Lindquist: yes, Selectman Hartung: yes, Chairman Stewart: yes.

Selectman Lindquist motioned to seal the minutes of the nonpublic session. Selectman Hartung seconded the motion and the motion passed unanimously.

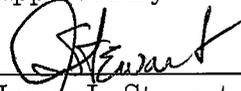
Selectman Lindquist made a motion to adjourn at 10:15 p.m. Selectman Hartung seconded the motion. The motion passed unanimously.

A True Record.

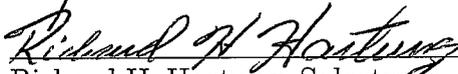


Tina Harrington, Recording Secretary

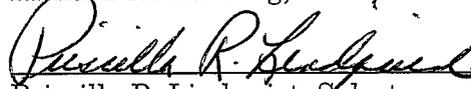
Approved By:



James L. Stewart, Chairman



Richard H. Hartung, Selectman



Priscilla R. Lindquist, Selectman