

**BOARD OF SELECTMEN  
MEETING MINUTES  
July 12, 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, T. Sullivan, P. Thrasher, B. Vass, S. Harms, J. Beaudoin

**Public Announcements**

- During the week of July 12<sup>th</sup> paving work will be done on Brown Hill Road, Buttrick Road and Bloody Brook Road.
- Tuesday, July 20<sup>th</sup> the Cable Advisory Committee is sponsoring Annie and the Hedonists at Meetinghouse Park at 6:30 p.m.
- 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 any time.

Chairman Stewart welcomed Mr. Vass, the new member of the Budget Committee. Mr. Vass stated that he was present tonight whereas he was the liaison from the Budget Committee to the Selectmen. Peggy Thrasher, Library Director, thanked the town and the Road agent for the new parking spaces. She also stated that the library sends out weekly emails about what is coming up at the library and if anyone is interested, they can contact her and she can add them to the email list.

Selectman Lindquist asked if the library is seeing more people due to the heat. Ms. Thrasher stated that they were busy, but she wasn't sure if it was due to the heat or not.

**Department Heads**

There were none.

**New Business**

- Open RFPs for Cemetery work:

Tree removal- There were 4 responses for the tree removal at two cemeteries.

- Top Notch Tree Removal of Thornton, NH \$2100.00
- McCabe Design Inc. of Merrimack, NH \$5400.00 (West Hampstead Cemetery)
  - \$5100.00 (Old Cemetery)
- Black Bear Tree Care of Guilford, NH \$8000.00 (West Hampstead only)
- Quality Tree Service of Newton, NH \$3050.00 (West Hampstead Cemetery)
  - \$1800.00 (Old Cemetery)

Selectman Hartung motioned to forward the proposals to Steve Harms and the Cemetery Trustees. Selectman Lindquist seconded the motion and the motion passed unanimously.

Fencing-The fencing work is for the Pine Ridge Cemetery. There were 5 proposals received.

- Brentwood Fence of Brentwood, NH \$6750.00
- Penney Fence Unlimited of Londonderry, NH \$7200.00
- Fences Unlimited of Windham, NH \$7939.00
- Woodward Fence & Supply of Salisbury, MA \$4950.00
- Atlantic Coast Fence of Amesbury, MA \$6649.00

Selectman Hartung motioned to forward the proposals to Steve Harms and the Cemetery Trustees. Selectman Lindquist seconded the motion, and the motion passed unanimously.

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- GASB 45 discussion- Mrs. Harrington explained that in 2009, the Town of Hampstead was supposed to be in compliance with GASB 45, which deals with Post- Employment Benefits (OPEB). This will result in a negative opinion on the government wide financial statements for 2009. In order to comply with the requirements, an actuarial study is done, which has estimated costs of \$1200 and up. It was agreed that the Selectmen would review the information they received and have it back on the next agenda. It was also suggested to contact the LGC and see what help they have to offer.
- Cash Receipts Policy- Selectman Lindquist noted that there was a request to have an Internal Control Policy and she reviewed several policies from other towns and adapted them to meet the needs for Hampstead. There are some small changes that Tricia Curran and Harold Williams would like to see. It was suggested that the Selectmen review the policy and add it to the action list for the next meeting. Selectman Linquist will confer with the Treasurer and Town Clerk for their suggested changes.
- Legislative Policy Process – The annual meeting to review the legislative policies is coming up and the LGC wants someone to represent the vote for Hampstead. It was suggested that each member review the bills and at the next meeting, they will fill out where they each stand, and make the final version to have one of them (delegate) bring the vote to the LGC.
- Discussion on exempt personnel benefit time reporting-With the new compenstion plan, there were some changes to positions that were previously non-exempt, and are now exempt. A department head was having an issue with one of their employees in completing timesheets, as was required, by town policy of all employees. Chairman Stewart explained that by requiring an exempt employee to complete a time sheet with hours in and hours out, would disqualify that person as an exempt employee if it was ever challenged in court. He called it the #1 rule of making a position non-exempt (eligible for overtime). By not filling out a time sheet, there is no way to account for benefit time taken. Chairman Stewart explained some of the rules behind what makes one position exempt over another one. He explained that the exempt employee is paid to meet the expectations of the job and the manager. The person in the position should approach it as a professional, but sometimes a person is placed in an exempt position, but finds it is the wrong match and that the person takes advantage of the exempt status. The measurement is getting the job done, not the number of hours worked to get the job done. He believes that the DOL would agree with a person (exempt claiming eligible for OT) if the employer were requiring them to fill out a time sheet. An exempt employee receives their salary regardless of the number of hours worked. If there is a performance issue because they are not there, management has the ability to deal with it. Chairman Stewart suggested that a time sheet be submitted but that only days off be recorded on the time sheet. He offered to explain the process to the 7 or 8 exempt employees, so they hear the same information at the same time. The employee can keep a log of when they are in an out if they want, but it does not need to be on the timesheet. Mrs. Theriault will set up a meeting with all those involved. Chief Beaudoin asked about the ACO, whether or not she was exempt. He was told no, that she was given a salary to do her job, but is a non-exempt employee and is eligible for overtime if she were to work over 40 hours.

### **Old Business**

#### **Liaison Report**

##### **Selectman Lindquist-**

Cable- Selectman Lindquist stated that she received calls over the weekend that there was an issue with channel 17 not working. She will check with the Cable Committee to see what the issue is.

Historic Commission-Selectman Lindquist announced that they received some good news regarding the meeting house. The 2 sides and front are pretty much done and there appears to be no structural damage. The hope is that in August the three sides will be painted (one at a time to make sure there is enough money in the budget) and then the back. The current contractor working on the meeting house does not paint, so there will need to be a painter contracted to paint the building. One of the members was talking to the contractor about the

bell and the yoke not being in the proper condition, and the contract felt that he could make a yoke if he had the right size piece of oak.

DOT- The Department of Transportation held a meeting at our offices last week to discuss the work on the culvert on Stage Road near Cambridge Road. The road will be shut down for two weeks sometime in August with the work to be completed by time to school starts around August 27<sup>th</sup>. Selectman Hartung stated that this should be on the notices so that the public is aware it is coming.

### **Selectman Hartung**

Elections- Selectman Hartung is attending the 2010 summer election law training in Salem this week and he will update the others about what he learns.

Fire Department- With the recent issues in Massachusetts and Southern NH regarding EMTs/Paramedics that did not take the appropriate recertification classes, Trinity Ambulance sent a letter to the towns it serves. They explained that situation and the steps that they took stating that 32 employees were involved with suspensions of 45 days to 9 months. Then they were terminated as of July 1, 2010 by willful misconduct. They have replaced all of the terminated employees with qualified new hires. They required these new hires to complete an "in house" training program. Chairman Stewart asked if Chief Carrier had any concerns regarding the issue. Selectman Hartung stated that the initial response is okay.

### **Chairman Stewart**

Beach Committee-Chairman Stewart stated that the Beach Committee recently met and that they would like to add another member, Nancy Richardson. The committee is an ad hoc committee and therefore needs no definite number of members. She did sit in on the most recent meeting and he believes she is replacing Kitty Cole, who may have resigned from the committee.

**Chairman Stewart motioned to appoint Nancy Richardson to the Beach Committee who are charged with the ongoing repairs at the beach as well as oversight. Selectman Hartung seconded the motion and the motion passed unanimously.**

Selectman Lindquist stated that she wouldn't refuse anyone that wants to be on the committee. Chairman Stewart stated that the survey of the topography and lot lines was completed by Dane Survey and now they need to work on the engineering plan to correct the drainage issue. The sand on the beach is constantly pushed into the water by water run off. DES needs to give approval before any new sand can be placed on the beach and that is usually only given once every 6 years. They need to have a plan in place to correct the problem. They are looking at a more comprehensive approach which will change out the 4 inch pipes that go down the road to the beach because they are currently not large enough to handle the flow. The catch basin at the beach shoots up like a geyser onto the beach when it backs up. There were funds encumbered in 2009 for \$5,000 for the engineering plan. The cost has since changed and the committee is trying to fine tune the amount and to have a preliminary design by the engineer and have him meet with the Beach Committee and then the Selectmen. The design is needed as part of the permit process. The estimate is \$4,950 for the engineering drawings. There is a time constraint to get the information together, in order to apply for a Hazard Mitigation Grant (8/1/10). If they are unable to meet this deadline, Chairman Stewart stated that they will look at going out to bid for the engineering work. He stated that the current engineer has been good to the town, but that maybe the work on the beach was not the right work for them. The other Selectmen agree.

Meetinghouse Park Permit-Chairman Stewart stated that the new form did not have his signature on it yet, because he had an issue with one clause. The clause is that the good and services that benefit the town, not the vendor. He asked that either just, only or solely be added to the sentence to read,

"that benefit the town and not solely the vendor". They all agreed to the change.

There was also a request for someone to have a massage chair at the cable concerts. The vendor is Sandra Laroque of Hampstead Health and Fitness as well as Salon Sophia. She will have promotional information as well as giving complementary massage services that last 5-10 minutes. She will have a table, chair and possibly a tent for shade. There was a question as to whether or not this met the requirement and two of the members believed it does. Selectman Lindquist doesn't believe it belongs there. Selectman Lindquist was concerned with what the other members would actually turn down. Chairman Stewart stated that it would have to be a case by case review. Ms. Thrasher stated that the library looks at profit versus non-profit. Chairman Stewart stated that this was discussed, but that there are pizza vendors and ice cream vendors that have been there and would clearly be for profit.

### **Administrative Assistant Report**

#### Perambulation

The perambulation Sandown needs to be completed. Hampstead is the older of the two towns. Mrs. Theriault asked the Selectmen they want her to make the initial contact with Sandown to schedule the work. Mrs. Theriault stated that the last one that was initiated in 2002, but that she had no complete copy in the folder. Mrs. Harrington remembers that this per-ambulation was completed in 2005. It was agreed to check the minutes. Either way, it was started in 2002 and that would make it coming due. This is to be added to the action list.

#### FEMA

The Town will be receiving \$3,535.02 in FEMA funds for the March 2010 flooding declaration.

#### COOP

- Tom Pelletier is still looking for the best price for backup software.
- Right now Priscilla is the name listed for the safe deposit box held by the Board. Mrs. Theriault asked that the BOS vote to change the holder's name since we will be using it in the future to store the computer backup for the Town. Selectman Hartung suggested that Selectman Lindquist's name stay on and to add both Mrs. Theriault and Mrs. Harrington to the signature card.  
**Selectman Hartung motioned to add the names Sally Theriault and Tina Harrington to the names on the safe deposit box. Selectman Stewart seconded the motion and the motion passed unanimously.**
- Kris Emerson will be checking the town office with the electrical inspector to determine what generator would be needed for the Town, should the residents approve the acquisition of the generator for the Town Office building. The Selectman asked Mrs. Theriault to get some costs for generators to do the whole building (without A/C)

#### ACTION ITEMS

Item 1 was not on the agenda for the most recent Area Selectmen's meeting. Selectman Hartung stated that most attendees at that meeting were not in the district.

Item 2 regarding the records retention, this was discussed at the recent department heads meeting. It is hoped by 8/31, there will be files separated by department to see what needs to be shredded and what needs to be kept.

Item 3 was discussed tonight, Item 4 is being worked on, Item 5 has gone to Wage and Salary with a 7/26 date to be returned. Item 6 can come off, Item 7 was talked about already, Item 8 will be done after the COOP is completed, Item 10 will get done, and add Item 11 from tonight's discussion. They also asked that the Cash Receipts Policy be added. Selectman Lindquist will

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be speaking to Tricia Curran and Harold Williams for their input then bring back for adoption.

Legislative policy will be on the next agenda.

Chairman Stewart asked that the order be by project dates. Mrs. Theriault stated that she would change that.

**Minutes**

There is one set of non-public meeting minutes that need to be reviewed and approved. The minutes were approved at the close of the meeting.

**Correspondence**

Granite Rose- A letter was received asking for Garland Drive to be paved in the near future. Chairman Stewart will ask Mr. Worthen to add this to the list of roads to consider.

**Appointments**

- Call for candidates :
  - Ordway Park, full members and alternates
  - Cable Committee volunteers
  - ZBA, alternate (1)
  - Solid Waste and Recycling Committee
  - Capital Improvements
  - Rockingham Regional Planning Commission/Technical Advisory Committee

**Visitors Comment**

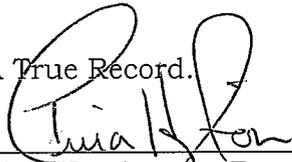
There were none present.

**Future Agenda Item**

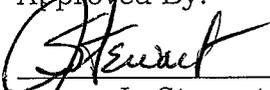
- Energy Committee
- Hampstead Senior Committee
- Town Administrator

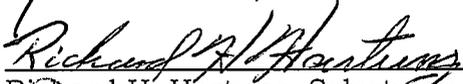
*Selectman Hartung made a motion to adjourn at 8:50 p.m. Selectman Lindquist seconded the motion. The motion passed unanimously.*

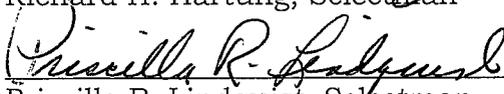
A True Record.

  
\_\_\_\_\_  
Tina Harrington, Recording Secretary

Approved By:

  
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James L. Stewart, Chairman

  
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Richard H. Hartung, Selectman

  
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Priscilla R. Lindquist, Selectman