

**BOARD OF SELECTMEN
MEETING MINUTES
April 18 2011**

PRESENT: RICHARD H. HARTUNG, CHAIRMAN; PRISCILLA R. LINDQUIST, SELECTMAN; SEAN P. MURPHY, SELECTMAN; SALLY THERIAULT, ADMINISTRATIVE ASSISTANT

Chairman Hartung called the regular meeting to order at 7:00 pm

Guests: P. Williams from Tri-Towne news, J. Worthen, B. Goode, K. Colbert, P. Carideo, Chief Beaudoin, B. O'Brien, P. Thrasher, B. Kelley, B. Weber, P. McMahon, Mr. Reed, Chris Bennett, M. Moore, M. Conway, D. Moyer, Jim Gove (Gove Environmental Services), Chief Carrier, S. Harms, J. Stewart

Public Announcements

- The Mosquito Control program begins the week of April 18th 2011. Crews from Mosquito Control will be checking swamps, marshes, woodland pools, ditches, storm drains and other shallow stagnant water for mosquito larvae.
- Saturday, April 30th, turn in your unused or expired medication for safe disposal at the Hampstead Fire Station between 10:00 a.m. and 2:00 p.m.
- Saturday, May 14th Kent Farm Facility is open from 8:00 a.m. to 4:00 p.m. A sticker is required and may be purchased from the Town Clerk/Tax Collector.
- Saturday May 14th is Household Hazardous Waste Day. It will be held in Plaistow from 9-noon.
- Saturday, May 21st Kent Farm Facility is open from 8:00 a.m. to 4:00 p.m. for brush and leaves disposal only.
- 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.

Visitors Comment

Jim Stewart- Hutchins Path

Mr. Stewart asked to speak to the Swap Policy that the Selectmen recently approved. According to the way it was written in the Tri Town Newsit makes the police union swap policy sound like it will cost the town. He reviewed the two policies and they are very similar. Neither of them will cost the town. He wants to make sure that the public is clear that they are not swapping shifts to generate overtime for themselves, or additional money. It is an even swap of time incurring in the same pay period.

The Selectmen thanked him for the clarification.

Bill Weber- Main Street

Mr. Weber stated that he recently spoke with the Commissioner of Public Safety for the State of NH regarding construction requirements for new police stations. He noted that the Commissioner and Deputy Commissioner are very knowledgeable in the area and are often sought out as consultants from other states. Deputy Commissioner Sweeney also followed up with an email. He stated that the State had no specific requirements or federal requirements except for a juvenile holding cell as being required. He stated that this is contrary to what we have been told. He thought that the Selectmen and the Police Department could use the information. It shows the recommendations that were used in a New York Police building. The Selectmen thanked him for the information and will make sure the Chief and the Committee receives a copy.

Bob O'Brien- Stage Road, Budget Committee

Mr. O'Brien introduced himself as the Chairman of the Budget Committee. He noted that Selectman Lindquist is their liaison and thanked her for attending their recent meeting. He has updated all the contact information on the members and forwarded it to Mrs. Theriault. He stated that he was pleased with the budget process last year and how the Selectmen took a position on the budget and hopes that they can continue to work on the budget and to keep an eye on what decisions the state is making that will impact the town. Mr. O'Brien emphasized that any recommendations will come from a fully informed budget committee. The Budget Committee will be meeting on Thursday May 19th and then again around the end of May for an information session on interpreting contracts.

Chris Bennett- Main Street

Mr. Bennett recently bid on the mowing and fertilization proposals and had concerns with the fact that the Selectmen awarded the bid mowing proposal to someone other than the low bidder. He stated that there was about a \$3,000 difference between the low proposal (himself) and the awarded proposal (Auger Property Maintenance). His proposal for mowing was at \$375 per cut and Auger's was at \$400 per cut plus \$30 to drag and rake the infields. He asked the Selectmen why they chose to not go with the low bidder. Selectman Lindquist responded that she took the recommendation of the Recreation Commission. Mr. Bennett asked if the Selectmen looked at the bids. Chairman Hartung responded that they see the bids when they are opened and forward them to the committees to review and ask for their recommendation. Mr. Bennett stated that he spoke with Recreation Chairman Colbert and she stated they were happy with the work by Auger, were comfortable with him, he did other things asked without charging. He stated that was not fiscally responsible. If they were comfortable with him, then why send it out for proposal. He noted that the fertilization proposal was awarded to the low bidder showing that there are inconsistencies in the policy and a double standard. If they are comfortable with the person doing the work, why put it out to bid? Selectman Lindquist stated that it was the Town policy to put it out to bid. Mr. Bennett also said that the way the process went, they (Recreation) knew all along who would get the bid. When he spoke to Kim Colbert, he asked about the minutes where it was discussed and he is still waiting for them even though it is after the time allowed for them to be available. He also noted that he was unable to get information regarding the non public session they held that evening. Mrs. Colbert responded that she clarified some of the questions Mr. Bennett had when she spoke with him. She also stated that the minutes were available, but were given to Mrs. Harrington for Mr. Bennett to pick up. He checked in with the Town Clerk and they had not yet been given to them.

Patricia McMullen- 200 Depot Road

Ms. McMullen spoke to the Selectmen regarding issues down at the Depot Road ballfield. She stated that she has been a resident there for 16 years and remembers speaking with Chairman Hartung back then when the fields were being developed. She had concerns back then that they were filling in wetlands and that they keep adding fields to the complex. When they add fields to the complex, no one has been in touch with the residents or shown any concern about what it is doing to the residents along Depot Road. She stated that there are traffic issues, parking along Depot Road, lights, loud music and horns. She stated that with all the changes they are affecting the aquifer in the wetlands. She was concerned that putting a skate park at the fields, even a donated one, would be costly for the town, especially in the area of liability. She stated that her home is her largest investment, and that she can't enjoy it due to the noise etc. She asked what it costs to keep the field maintained. She stated that the schools are being cut, yet the town finds money to maintain the fields and handle grubs.

Chairman Hartung responded that he was sorry to see that she was having issues, but noted that there are many months that go by with no activity at the field.

Department Heads

Fire Department-Chief Carrier

Chief Carrier announced that the Quint will be coming on Wednesday April 27th. He will finalize the grant to get the final payment once they have taken delivery. He wanted to bring it to the next Selectmen's meeting around 6:30 so that the public could review it.

Chief Carrier announced that he is recommending that Gary Morrison be promoted to a Call Lieutenant. There is currently a vacancy in the position and after the application process and interview process, he determined that Mr. Morrison would do a good job and asked the Selectmen to accept the recommendation.

Selectman Lindquist motioned to accept the recommendation of Chief Carrier and to appoint Gary Morrison as a Call Lieutenant. Selectman Murphy seconded the motion and the motion passed unanimously.

Library- Peggy Thrasher

Ms. Thrasher reminded the public that April is Alcott month and there were events planned around that.

Police Department -Joe Beaudoin -

Chief Beaudoin responded to Mr. Weber's comments and understands that he has the best interest in the town, but that Chief Beaudoin didn't agree with what he said. They have not stated that all the things are required, but are safety issues such as bullet proof windows in the dispatch area. He also noted that since Mr. Mesa-Tejada has stepped down from the Building Committee, they are in need of new ideas and fresh blood. There are currently still two builders on the committee and are very much aware of the cost to build. Anyone interested can contact the police station. He thanked Selectmen Murphy and Lindquist for going to the police station to look at what needs to be done to keep it livable, (such as paint, sheetrock, ceiling tiles, etc). So far two contractors have taken the list that was developed after the meeting and will come up with estimates. Once they have that they can plan what can be done. Chief Beaudoin stated that he was meeting with two budget committee members tomorrow to show them the station as well.

Chief Beaudoin noted that with the new police union contract in place as of April 1st, the detail rate payable to the officer went up from \$38 to \$40. The billing rate remains the same. He asked for the Selectmen to raise the rate that non union officers get paid to the same rate. They are currently at \$38 and he would like them raised to \$40. The money comes from the detail fund and has no impact on the general fund or tax rate. He explained that it was not fair that two officers could be doing the same detail and one would make more than the other.

Mr. Stewart stated that the union specifically asked for the increase and it is not fair that non union members are given the same rate.

Selectman Murphy asked how the process works for the town. The town bills the contractor that hires them for the detail. The money received goes into the detail revolving fund. This fund will accumulate less with the change in the pay to the officer.

Selectman Lindquist motioned to accept the recommendation of the Chief to change the pay on a detail from \$38 to \$40. Selectman Murphy seconded the motion and the motion passed with two in favor (RH, PL) and one against (SM).

Chief Beaudoin told the Selectmen that he would like to change the current uniforms of the department from light blue to dark blue. This would be consistent with the uniforms of area

towns. He explained that the employees will pay for the change in uniform, not the town. A full time officer may use their uniform allowance account to pay for the uniform change. Selectman asked if they were changing to be like the others. Chief Beaudoin stated that it had been at least 12 years since they changed the uniforms and that they are trying to look similar.

Selectman Lindquist motioned to grant the uniform change request. Selectman Murphy seconded the motion and the motion passed unanimously.

Chief Beaudoin had another request. He asked that the Selectmen authorize the department to lease a motorcycle. He explained that with the cost of gas and vehicle maintenance he thought he could save some money by putting on a patrol officer with a motorcycle. He requested that the cost of the first year lease along with training costs and equipment costs come from the detail fund. The estimated cost all together is \$5,500. Selectman Murphy asked if this was a lease to own program. Chief Beaudoin stated that it was not. It is an annual lease and the bike can stay the same or it can be traded in for a newer model. The Town is not bound past the first year of the contract. They could review the lease after the first year and discontinue it if they desired. Chairman Hartung asked how many officers will be trained. Chief Beaudoin stated there will be 5 all together and two are currently certified (Fratus and Moore). He named Sgt. Chambers and Lt. Frazier as two of the others that will probably be trained.

Selectman Lindquist motioned to enter into the lease for a one year trial period.

Selectman Murphy asked who was responsible for the maintenance costs and are they are warranted by the company. **Selectman Murphy seconded the motion.**

Officer Moore announced that they are in the process of applying for a grant to do motorcycle patrols for selective enforcement. He explained that the motorcycle could be used for the grant patrols as well as regular patrols, when there is another officer on duty.

Mrs. McMullen stated that they would need to apply for the grant on an annual basis. Detective Kelley responded that they are aware of that but have good indications that the grant is there as long as they apply for it. Once you receive the grant, the subsequent year is easier to get.

The motion passed with three in favor.

New Business

Update regarding the Depot Road Fields

Recreation Chairman Kim Colbert stated that they had a presentation from Jim Gove of Gove Environmental for the Selectmen regarding the Depot Road ballfield. She also responded to some concerns of Ms. McMahan. She stated that there have been a few programs added and that they do try to consider the impact to the residents. She also noted the football team was allowed to use lights a few years ago when they were in the playoffs, but there has been no football there for at least a year. Ms. McMahan stated that the speakers are there every weekend. Mrs. Colbert responded that she would check it out this weekend and that if Ms. McMahan had any concerns she could attend the Recreation Commission meetings and let them know of the issues and concerns. Regarding the costs of the fields, she announced that there is still a lot of time and work donated by the various organizations that use the field.

Mr. Goode presented Mr. Gove. Mr. Gove was the original soil scientist when the complex was built and stated that the cutting the Recreation Commission did was not in the wetlands. He noted that in 1997 there was a delineation done. There was a wetland evaluation, soil map and wetland permits done. The soils were poorly drained soils over by the softball field and that they are still poorly drained soils, not wetlands. He explained that the RSA changed in 2004 using a definition from DES for a definition of a wetland. The Admin Rules for DES added the definition in 2005. He stated that most of the towns changed their zoning to meet the definition except for three that he is aware of which are Stratham, Exeter and Hampstead. Stratham and Exeter defer to the state standards in their zoning but ours does not. He stated that the site was flagged as jurisdictional wetlands. He went today and there was no dominance of vegetation outside the

flagged zone, therefore there is no violation of wetland. He stated that how we handle our zoning is an internal issue. The soil mapping is fine and the soils are sandy mineral with a restricted layer that doesn't recharge the aquifer. The exact spot where cut does not recharge the aquifer and there are no state wetland violations but it is an issue with the town zoning violation. Mr. Gove emphasized that the Town zoning should be brought into compliance with the State's. Chairman Hartung noted that the Planning Board should be asked why they are not the same. Mr. Gove talked about an Alteration of Terrain and whether or not it was required. He stated that it states that it is required when 100,000 (2 ½ acres) square feet of disturbance before you need to apply for it and that the work done does not meet that requirement. Intent to cut is all that was required there. The Army Corp of Engineers won't come unless the wetland is impacted. There is a silt fence up at the site which will prevent sediment going into the wetland. He did suggest that if anything is done at the site there should be under drains. This can maintain the slope or elevation, but need to under drain it not just fill it so that it takes the water away.

Mr. Carideo of the Conservation Commission spoke. He stated that it was his concerns that brought this forward and he had not been told about tonight's meeting so was not completely prepared. He noted that Mr. Gove was answering the concerns that he placed in a letter to the Recreation Commission. He agreed with Mr. Gove that it was the Town zoning issue that he was concerned with. The sediment control is in place because he brought it up at a previous discussion. The AOT (Alteration of Terrain) is required when 100,000 square feet has to be disturbed. He believed that even if only 40,000 is disturbed it is cumulative back 10 years so that any thing done at the ball fields in the last 10 years (playground, back parking lot and football practice area) would need to be considered. He has since learned that some of the ballfields are on separate parcels, which may exempt it from the requirement. Any need for under drains and chemicals will come out in the Planning Board process when Recreation presents any proposals to them. He asked that he be notified of any discussions about this in the future. Mr. Carideo stated that he worked for Mr. Gove for many years and he knows his stuff. Mr. Carideo missed some of the flags that were marked. Chairman Hartung thanked him for trying to be thorough. Mr. Carideo stated that he was trying to get the process to where it needed to be and threw out all the permits he could think of, whether they are needed or not. Ms. McMullen asked about the drain pipes and if they will drain into the aquifer. Mr. Gove stated that he was not an engineer and that an engineer might find other ways to drain the water. The under drains makes sure that the area above is unsaturated. The drain basically maintains the status quo.

Mr. Goode stated that it was always the intent of the HRC to have an Engineer look at what can go on the site. Right now they were only looking at the cutting of the trees, with the next step being the removal of the stumps. They had intended to use the funds from the cutting to remove the stumps. Mr. Goode would like the Selectmen to approve the parking lot on the right hand side of the entrance (towards the baseball field) to be opened. The logging company was using the area for a staging area. They are not increasing the parking capacity there but want to be able to have it loomed, gravel and regraded. This is a separate parcel from where the trees were cut. The trees are removed and the forestry company was coming tomorrow if it was dry enough to clean up and regrade. Chairman Hartung suggested that Kris Emerson take a look at the proposed grading and see if there is an issue, if so then the Planning Board and Selectmen could review it. Right now parking is an issue with the area closed down. The HRC will email the clubs and remind people that there is no parking on Depot Road. Ms. McMullen asked what the residents should do if people are parking on Depot Road. It was suggested that she call the police department.

RFP Line Stripping

Mrs. Theriault noted that only one company submitted a bid for the line stripping and that it was from the current vendor. The Selectmen agreed to open it.

1. Seal Tek of Londonderry NH- 75,000 linear feet with the double yellow at 6.2cents a foot equaling \$4,600 and single white at 3.1 cents a foot at \$2,325 for a total of \$6,975. Mr. Worthen stated that it should be 75,000 square feet times 3 (double yellows and single white on both sides of road) which would make the cost closer to \$9,300. He stated that the actual footage will be less than 75,000 square feet due to spaces when they are painting the lines

RFP Tree Removal

There were three companies that submitted bids.

1. *Top Notch Tree of Thornton NH*- a) crane crew \$250p/h, b) bucket crew w operator and groundsman \$450 p/h, c) stump grinding \$2 per inch
2. *Mayer Tree Service of Essex MA*- a) crane crew \$250 p/h, b) bucket crew \$42.83 p/h, c) groundsman \$48.82 p/h, d) climber \$53.91 ph, e) chip truck \$38.89 p/h, f) tree chipper \$29.89 p/h, g) log truck \$85.00, h) stump grinding \$9 per inch
3. *Roy's Tree Service* - a) crane crew \$200 p/h, bucket truck w/operator \$75.00 ph, c) dump truck w/ operator \$100 p/h, d)log truck w/operator \$70 p/h, e) climber \$60 p/h, f) groundsman w/chain saw \$40 p/h, g) stump grinding \$4 per inch

RFP Paving

It was noted that normally the Paving (shim and overlay) goes out for proposal as the same time as the reclamation. Mr. Worthen explained that he forgot to prepare the proposal for the reclamation, but there are people that bid on both proposals. Chairman Hartung stated that those with the reclamation proposals would be blacked out and notified of the new bid date.

There were 8 companies that bid on the paving

- | | | | |
|-----------------------|---------------------------|--------------|------------------------|
| 1. Brox Industries- | machine \$67.40 | hand \$110 | tack \$4.00 per gallon |
| 2. Pike Industries | machine \$75.00 | hand \$125 | tack \$4.00 per gallon |
| 3. GMI Asphalt | machine \$67.44 | hand \$ 95 | tack 2.15 per gallon |
| 4. R & D Paving | machine \$74.40 | | |
| 5. Continental Paving | machine \$72.50 | hand \$125 | tack \$4.00 per gallon |
| 6. Suburban Paving | machine \$68.63 | hand \$94.62 | tack \$5.00 per gallon |
| 7. Beneveto Paving | machine \$74.00 | hand \$135 | tack \$5.00 per gallon |
| 8. Bell & Flynn | machine \$69.50 (binder) | | |
| | machine \$72.00 (surface) | hand \$110 | tack \$4.00 per gallon |

Selectman Lindquist motioned to forward all three proposals to the Road Agent for his recommendation. Selectman Murphy seconded the motion and the motion passed unanimously.

Old Business

Liaison Report

Selectman Lindquist

Historic/Heritage Commission-Currently there are 6 members and the statute allows 7. Chip Hastings has expressed interest in being appointed to the Commission. The Commission would like to have him as a member as well.

Selectman Lindquist motioned to appoint Walter "Chip" Hastings to the Historic/Heritage Commission for a three year term. Selectman Murphy seconded the motion and the motion passed unanimously.

Cable- At the last meeting of the Cable Committee, State Representative Regina Birdsall and John Sedensky spoke to the Committee about a broadcast called "Chatting with your legislators". They are hoping that with the help of Lori Collins they could get this up for mid May. They feel it is a way to help keep the public informed of what is going on in Concord.

RAWD- The first bulk pick up day at curbside has been set and will happen every two weeks (first and third Friday) for those that want to dispose of bulk items. The cost is \$15 per item. The stickers can be purchased at the Town Clerk's office and it is placed on the item to be picked up.

Selectman Murphy

He stated that Ms. Thrasher stole his thunder whereas he was going to talk about the goings on at the Library.

Chairman Hartung

He had nothing specific to report.

Administrative Assistant Report

Reporting to DRA

MS Forms that are required to be submitted to the DRA following Town Meeting have been sent. The forms include the MS2 (Report of appropriations actually voted), MS 2 (budget) and copy of the warrant.

Stormwater Management

Jon Worthen started to work on the Stormwater Management reporting for 2010. Mrs. Theriault will be completing the reporting requirements.

Up-dating of Tax Maps

Susan Hastings and Mrs. Theriault met with Franco Rossi of Cartographics to review the process by which changes are made to the tax maps. After he has had an opportunity to make update the maps we will be provided with new maps for 2011.

Committees and Boards

The updating of the committee and boards contact sheet is in the process of being completed.

Mrs. Theriault has sent copies to all the committees asking for contact information on their members. As soon as it is updated she will forward to the Selectmen.

JLMC

The Joint Loss Management Committee will be meeting again in May. Every quarter the committee gets together to tour another town building. The purpose is to minimize potential work hazards.

Town Report Update

Selectman Lindquist asked if the correction for the missing Summary of Valuation has been created. Mrs. Theriault noted that she has put one together and will forward to Selectman Lindquist before she makes it available to the public to make sure it is what is missing. Mrs. Theriault gave each Selectman a print out of what the RSA states has to be in the Town Report. Everything else that is in the report is optional.

Code of Ethics Policy

Mrs. Theriault stated that she has updated the Code of Ethics Policy to reflect the 2011 update from Town Meeting. The change is on page 3 of the policy.

Minutes

The meeting minutes of February 28, 2011 have been signed and are ready for approval at this time. There is also one set of non-public minutes that need to be reviewed.

Selectmen's Meeting Minutes

April 18, 2011

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Selectman Lindquist motioned to approve the minutes as amended from February 28, 2011. Chairman Hartung seconded the motion and the motion passed with two in favor (RH, PL) and one abstained (SM).

Activity Log

The log was reviewed

Correspondence

There was no correspondence

Appointments

- Call for candidates :
 - Ordway Park, full members and alternates
 - Cable Committee volunteers
 - Recycling and Waste Disposal Committee
 - Capital Improvements
 - Rockingham Regional Planning Commission/Technical Advisory Committee
 - Rockingham Regional Planning Commissioner

Visitors Comment

There was none.

Future Agenda Item

Energy Committee
Hampstead Senior Committee
Town Administrator

Non Public Session:

There was a motion made by Selectman Murphy to go into non public session at 9:14 pm under RSA 91A:3 II (c) reputations. Selectman Lindquist seconded the motion.

Roll call vote:

Selectman Murphy: yes; Selectman Lindquist: yes; Selectman Hartung: yes

Present: Derrick Moyer

Selectman Murphy motioned to come out of non public session at 9:55 pm. Selectman Lindquist seconded the motion.

Selectman Lindquist motioned to seal the minutes of the non public session under RSA 91A:3 II (c) reputation. Selectman Murphy seconded the motion and the motion passed unanimously.

There was a motion made by Selectman Murphy to go into non public session at 10:03 pm under RSA 91A:3 II (a) employee matters. Selectman Lindquist seconded the motion.

Roll call vote:

Selectman Lindquist: yes; Selectman Murphy: yes; Selectman Hartung: yes

Chief Beaudoin and the Selectmen discussed the position of Animal Control Officer. With the recent death of Dale Childs, the position has become vacant. Chief Beaudoin stated that he spoke with the assistant ACO, Sheila Johannesen and told her that she would continue in her current position and take the majority of the calls until it was determined how to move forward. The Selectmen asked that Mrs. Theriault and Chief Beaudoin review the current job description and develop an ad. They also suggested that she ask on the list serv how other towns pay their ACO. The Selectmen want to see the ad before it goes out to the papers.

Chief Beaudoin will look at getting the equipment from Mr. Childs when he brings over some information regarding the donations made in Dale's name to the Brittany Dawn Childs Fund.

Selectmen's Meeting Minutes

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Mrs. Theriault stated that along with Chairman Hartung they reviewed the job description of the clerical person that processes the accounts payable and the one to back up the position. It was agreed that the back up position would move up a grade with the added responsibilities but with no pay increase. The change in grades will allow the position of the employee more time before the top of the grade is reached. The supervisor and the employee are okay with this.

Selectman Lindquist motioned to come out of non public session at 10:50 pm. Selectman Murphy seconded the motion.

Roll call vote:

Selectman Lindquist: yes; Selectman Murphy: yes; Selectman Hartung: yes

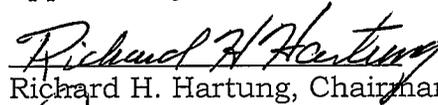
Selectman Lindquist made a motion to adjourn at 9:49 p.m. Selectman Murphy seconded the motion. The motion passed unanimously.

A True Record.



Tina Harrington, Recording Secretary

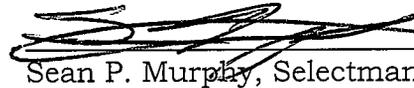
Approved By:



Richard H. Hartung, Chairman



Priscilla R. Lindquist, Selectman



Sean P. Murphy, Selectman