

**BOARD OF SELECTMEN
MEETING MINUTES
January 10, 2011**

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

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

Guests: Penny Williams from Tri-Towne news, J. Worthen, Chief Beaudoin, K. Colbert, S. Murphy, E. Lanpher, B. O'Brien

Public Announcements

- Wednesday, January 12, 2011 at 6:15 p.m. – Public Hearing on the bond issue for the proposed new Police Station. The public hearing will be held at the Town Offices.
- Wednesday, January 12, 2011 at 7:00 p.m. - Public Hearing on the budget at the Town Offices.
- January 25th , Christmas Tree pickup by Boy Scout Venturing Crew 121, call 329-4362 to arrange a time. Donations are gladly accepted.
- Friday, February 11, 2011 is the First Session of the Town Meeting “Deliberative Session” at the Hampstead Middle School beginning at 7:00 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 anytime.

Visitors Comment

There were none.

Department Heads

Highway Department- Jon Worthen, Road Agent

Mr. Worthen noted that there is currently work being done at the Town Forest around West Road and Stage Road. He would like permission to have some trees taken down around the garage, on the left hand side. He said that that there are dead trees that need to be thinned out. He also asked if there could be some thinning on the right side where the proposed police station is to be located. Whereas the forester is there now, it might save money later and the proceeds of the wood could go to the Conservation Commission. Selectman Lindquist asked if the request is for land on the conservation side, or the town garage property. Mr. Worthen stated that it was the along Veteran's Way. Selectman Stewart asked Mr. Worthen if he had spoken with Chief Beaudoin about it. Mr. Worthen responded that he had and he had also put a call into Karla Allen, the Forester. Mr. Worthen stated that there were about 12 trees, with 3-4 Oaks and 8-10 Pines. It won't give more space, just thin out what is there. Chairman Hartung suggested coordinating it with conservation and get the revenue cost and that it could be shared with the town. The Selectmen agree that it is worth looking into. Mrs. Colbert stated that working with Karla Allen is great because she will walk with you and point out what should be taken down and will get the estimated value for you. Mr. Worthen was told to check into whether or not an intent to cut would be needed.

Library – Peggy Thrasher, Library Director

Ms. Thrasher stated that there are some new programs coming up at the library. One January 31st from 4-5, there is a read out loud book buddies program. A preschooler and middle school

student are hooked up together to do read a book and then do a craft. If anyone is interested they can contact the library.

Another new program is called Paws to Read, which takes a new reader and allows them to read to Johnny Claude, a standard poodle. It is held the first Monday of the month at 4 pm.

Police Department- Chief Beaudoin

He stated that Mr. Worthen did approach him about the trees and he thought that would be good idea. Chief Beaudoin asked that his budget for 2011 be increased by \$3,500. The line increased would be the gasoline for the vehicles. He based his budget on \$2.80 per gallon and currently the cost is \$3.09. He also averaged 675 gallons per month.

Selectman Lindquist motioned to change line 1001-42101-63500 from \$20,000 to \$23,500 for the 2011 budget year. Selectman Stewart seconded the motion and the motion passed unanimously.

Mr. Worthen was asked to make sure his line for fuel would be all set as well. Chairman Hartung suggested that vehicles be turned off when they could.

Recreation- Kim Colbert, Chairman

The Recreation Commission has asked that an intent to cut be completed for work to be done at the Depot Road ballfield. The baseball field to the right of the entrance doesn't get enough sunlight to dry it out and there are some trees that can be taken down to help that situation. They are not looking into having the stumps removed yet. There will also be some thinning of the trees at the same time. They are also looking into having some of the trees over by the softball field cut and thinned out. This is in the area that was surveyed (near the third base side). Together there might be about 30 trees. The Selectmen agreed to sign the contract with Garland Forest Products and the intent to cut for the work at the Depot Road ballfield.

New Business

Public hearing on donation of \$5,400 to the Police Station Building Fund from the Hampstead Trails Association

"Pursuant to RSA 31:95 (b) the Hampstead Board of Selectmen will be holding a public hearing on Monday, January 10, 2011, at 7:15 p.m. at the Town Office building, 11 Main Street, for the purpose of hearing public testimony and to gather information regarding a grant received in excess of \$5,000."

Selectman Lindquist explained that the Hampstead Trails Association, which is no longer an active group, had funds left over. This was part of the French Foundation group. The Administrator of the account closed the account and disbursed the funds to the schools for their anti-bullying program and to the Hampstead Police Station Building Fund. The Administrator is a proponent in the need for a new police station. The amount of money will not reduce the cost of the bond, but will be available for other items. Selectman Lindquist noted that other people might want to donate as well. The funds will be turned over to the Treasurer.

There was no public comment or input.

The public hearing was closed at 7:22 pm

Selectman Lindquist motioned to accept the \$5,400 donation for the Police Station Building Fund and to thank the Administrator. Selectman Stewart seconded the motion and the motion passed unanimously.

Public Hearing on Roadside Monuments

The Town is looking into a policy to deal with roadside monuments that occur after a fatal accident. The current policy is still in draft format, but the Selectmen were looking for public

input. There was one change after discussion with the Road Agent, prior to the meeting in that the area shall be maintained by the permit holder.

Mr. O'Brien stated that he was pleased that the Selectmen were considering such a policy but he had concern about those that survive a fatal accident. He felt that that needed to be addressed. He used an example of a man that was severely injured in an accident that killed two people. He noted that there is pain associated with these people when they drive by the site. Chairman Hartung thanked him for his input. He also read a letter into the record from Mr. and Mrs. Sheltra of 179 Central Street. They stated that they have no objection to the memorial across the road from their home. It was set up for the love of the individual that passed away. their only concern is safety of people using the streets.

Mr. Lanpher had an objection with using RSA 31-39 (a) (1). It speaks to the care and protection of parks, commons libraries and institutions, but makes no reference to roads. He suggested that it be a warrant article and that a committee should finalize the document. He also noted that the State of NH has a program in place in which they retain control of the sign. The person requesting the sign pays the State for the sign as well as the cost to put the sign up.

Chairman Hartung stated that RSA 236 is the new State of NH policy on roadside memorials when it involves a DWI case. A sign stating "Don't Drink and Drive" as well as a plaque for the deceased is placed at the scene, upon request. This moves away from the spiritual symbols. The policy is mute on other types of accidents. The final draft of the policy will go to Town Council for their review. Chairman Hartung noted that RSA 31 was the closest RSA to home rule. Mr. Lanpher stated that the time frame of 90 days may as well be eliminated because no one would take it down. He also had concerns with the height and how far back the paved surface goes. He questioned how it is measured and from where. Along the right of way it raises up from the pavement. Chairman Hartung stated that there is usually a drop off along the RW but that it could be 4 feet high or 5 feet high and it has a 2 foot drop. He stated that it would be up to the Code Enforcement Officer to determine the correct location. Mr. Lanpher stated that the 90 days is a good amount of time, the memorial does become a distraction and can be a safety issue with someone maintaining a memorial along the side of the road. He suggested if in the ROW get a safety message instead that says "drive safely". Mr. Worthen stated that RSA 236, the DWI sign program does not have a permitting process in place yet because of the wording of the RSA. It states a person must be convicted of the DWI before a sign can be placed.

There was discussion about a living memorial such as a bush or small tree. It was decided that a tree or bush would have to have a 90 life cycle. Everyone agreed that the 90 days was a good date. The discussion then became if the permit was for 90 days or the memorial good for 90 days. Selectman Lindquist asked if there would be a fee with this. Chairman Hartung stated that the research shows that in most cases any fee would be waived. He noted that he would like to see if Hampstead would be allowed to use this policy along the state roads as well. If the state regulation speaks, the state policy would preside, but if it is mute, then the town policy would take over. The wording for 90 days was scratched out and the line now reads that the permit is good for 90 days. Mr. Worthen wanted to make sure that there are no lights allowed with the memorial, or any form of illumination. Mr. Worthen also asked who is responsible after the 90 days. It was agreed that the person would be notified that the permit is expiring and asked to take it down. If that doesn't happen within a reasonable amount of time after the expiration, then the CEO will have the highway department pick it up. It was suggested the CEO be written out as Code Enforcement Officer. Mr. Lanpher stated that he sees a Pandora's Box and that the CEO will be driving all over town. Selectman Lindquist stated that she looked up RSA 31-39(b) and that speaks more to the policy.

The changes from tonight's discussion will be made and the document will then be forwarded to town counsel. Once it is okay, then they will contact the state and for their review.

The hearing was closed at 8:08 pm

Review articles to be moved to the warrant

The Selectmen began the review of the warrant articles. There are not yet numbered whereas the zoning articles have not yet been set.

Article 1 is to vote on the officers/elected officials.

Next article (first after zoning) will be the Proposed Police Station for \$1,996,721. The public hearing on the bond is scheduled for Wednesday January 12, 2011. With the impending storm it was agreed that if a continuance was needed, it would be on Friday January 14, 2011, at 6:15 pm.

Article on Town Budget is set at \$5,218,445.35 with a default of \$5,229,743.19. The public hearing on the budget is also scheduled for Wednesday January 12, 2011. This final amount is subject to change.

Article on Beach- There are two articles for this, the first one is asking for \$124,642.00 with a grant for \$93,481.50 from FEMA (if approved) and \$31,160.50 to be raised through taxation. If this fails, then the next article is asking for \$11,500.00 to increase the capacity of the drainage. If the article for \$124,642.00 passes, then the article for \$11,500.00 is null and void. If the first article for \$124,642.00 passes and the grant does not pass, then the amount of \$31,160.50 will be used to start the work and the article for \$11,500.00 will be null and void.

Mr. Murphy asked if the fact that a grant was already applied for be noted in the article.

The next article is for the Library Capital Reserve for \$10,000. This is for their third installment for the fund to repair the roof in or about the year 2012.

The next article is for CART in the amount of \$17,800.00. This was previously in the budget and is one of the three taken out this year. It was requested that CART be written out in its proper name.

The next article is for RSVP (Retired Senior Volunteers Program) for \$700.00. This is one of the three that were previously in the budget.

The next article is for Sexual Assault Services (SASS) for \$1,050.00. This is one of the three that were previously in the budget.

The next article is for a new agency called Child and Family Services for \$1,000.00. This article is recommended by the Human Services Co-Coordinator.

Mrs. Theriault was asked to notify the agencies to see if they want to have someone present for deliberative session.

There is an article for the revolving fund for Recreation to allow one member of the commission along with their designee sign off on any expenditure.

The next article is the police contract with the first year (9 months) cost of \$23,916, 2nd year estimated cost at \$18,558, third year cost at \$19,006 and the fourth year cost (3 months) at \$5,296. Chairman Hartung asked that this article be moved to the fourth town article, just after the budget.

The next article after the union contract is not listed but will be if the article fails, to allow another election to discuss the cost items only.

The last article is an amendment to the code of ethics.

Selectman Lindquist explained that there was an issue in the past year before the Code of Ethics

and they were not able to address the issue, because the current code of ethics does not speak to it. The wording used for this article was from the original code of ethics. Selectman Stewart explained that when the new code of ethics was being written, they deliberately left that section out because they felt the code was about conflict of interest, not behavior. Chairman Hartung felt that any issue with an employee belongs before the Selectmen and not the Code of Ethics Commission. After some review and discussion it was agreed to drop "a" and "b". Part "c" is important as well as "e". There was a question on "d". Mr. Worthen asked if he would need to get the approval of all of those in his department. It actually speaks to a department and that one can't speak for all without their permission. It was agreed to remove "a", "b" and take the word "department" out of "d".

Liaisons Reports

Selectman Lindquist:

There was nothing to report

Chairman Hartung:

There is a meeting for All Hazards on January 26th.

Selectman Stewart:

Conservation- Selectman Stewart stated that there was a letter explaining what was going on at the Conservation Trails along West Road and Stage Road. He explained that a healthy forest is harvested every once in a while just like a garden, which helps keep it healthy. He noted that the forester has done a great job and if there are any questions or concerns, the Conservation Commission should be contacted. The Hampstead Middle School is going to be working with the Conservation Commission in planting in the spring.

Administrative Assistant Report

Grant received from Health and Human Services

The Town will be receiving a grant in the amount of \$2,677.50 for mosquito control. Due to budget constraints this is only half of the amount that was requested.

New Homeland Security Representative

Julia Chase the new field representative from Homeland Security and Emergency Management met with Sandy Koleque-Spalaris (EMD) and Mrs. Theriault. Ms. Chase provided them with grant opportunities for the generator for the Town Office building to serve as the Emergency Operations Center (EOC) during times of emergencies. One grant that is due the end of this month will cover 100% of the costs associated with the purchase and installation of a generator. This grant is extremely competitive. Another grant opportunity is a 50/50 match and is less competitive for obvious reasons. If possible, Mrs. Theriault would recommend that the BOS set aside 50% of the expected costs of the generator in the operating budget for 2011. That will achieve two things, one it will allow them to apply for the 50/50 grant and it shows support of the project, which is often a requirement of the grant application process.

In addition, Ms. Chase researched the grant application that Mrs. Theriault had submitted in September for the Town Beach drainage system. Unfortunately, we won't hear from FEMA until this spring as to whether or not the grant is approved.

Progress on Town Report

Mrs. Theriault has been receiving photographs and reports for the 2010 Town Report and will start to work on that project.

A request has come in to put the proposed police station in the 2010 Town Report. Usually the Town Report is reflective of those events that took place in that year not what is hoped for in the ensuing year. If the intent of placing a picture in the 2010 Town Report is to try to promote the project, then as an alternative, we could prepare flyers and distribute those flyers along with the Town Report. It is also important to note that the Town Report comes out one week before the Town Meeting when the residents vote on the warrant, so the circulation is not that great pre-Town Meeting. It was noted that the flyers would not be allowed in the polling area whereas it would be considered political advertising. If it is inside the cover of the annual report, then it is not an issue. There was no decision made. Selectman Stewart and Chairman Hartung thanked Selectman Lindquist for a great BOS annual letter for the Town Report.

Cleaning/Custodian Position

There were approximately eight people interested in the position. Of those approximately three people will be called for interviews. Steve Harms and Mrs. Theriault will be sitting down together tomorrow to review the applications.

Selectman Lindquist would like to see the names of the people being interviewed and Selectmen Stewart and Hartung just wants to meet the finalist.

Minutes

There is one set of non-public meeting minutes that have to be reviewed. The minutes for December 13, 2010 and December 27, 2010 are both ready for approval.

Selectman Lindquist motioned to accept the minutes as approved for December 13, 2010, and December 27, 2010. Selectman Stewart seconded the motion and the motion passed unanimously.

Activity Log

Article number 4 is to be taken off and the Roadside Memorials can be added.

Correspondence

Tax Collector- Tricia Curran

Mrs. Curran sent a copy of a new program that she is looking installing from Avitar. It would allow people to review their tax information and pay taxes on line. It will also allow people to see if someone has or hasn't paid their taxes. She emphasized that what is non public, will stay non public. The ability to pay won't be out until later in the year. The first year cost is free, but after that the cost will be about \$800 per year. She explained in her correspondence that it would help with a lot of the calls her offices receives. She would be present at the next meeting to answer any questions if needed.

Appointments

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

There were appointments for Susan Hastings and Jon Worthen to the Joint Loss Management Committee. They were both due in 2010 and the term will be good until 2013.

Selectman Lindquist moved to appoint Susan Hastings and Jon Worthen to the JLMC for a term to expire in 2013. Selectman Stewart seconded the motion and the motion passed unanimously.

Visitors Comment

There was none.

Future Agenda Item

Energy Committee

Hampstead Senior Committee

Town Administrator

Non-public RSA 91A:3 II (a) and (c), employee matters and reputation

There was a motion made by Selectman Lindquist to go into non public session at 9:32 pm under RSA 91A:3 II (a) and (c). Selectman Stewart seconded the motion.

Roll call vote:

Selectman Lindquist: yes; Selectman Stewart: yes; Selectman Hartung: yes

Selectman Lindquist motioned to come out of non public session at 10:00. Selectman Stewart seconded the motion.

Roll cal vote:

Selectman Lindquist: yes; Selectman Stewart: yes; Selectman Hartung: yes

Selectman Stewart motioned to seal the minutes of the non public session. Selectman Lindquist seconded the motion and the motion passed unanimously.

Selectman Stewart made a motion to adjourn at 10:00 p.m. Selectman Lindquist seconded the motion. The motion passed unanimously.

A True Record.

Approved By:

Tina Harrington, Recording Secretary

Richard H. Hartung, Chairman

James L. Stewart, Selectman

Priscilla R. Lindquist, Selectman