

**BOARD OF SELECTMEN
MEETING MINUTES
November 26, 2012**

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

Guests: P. Carideo, S. Londrigan (and son), P. Williams, L. Ross, E. Lanpher, J. Forbes, J. Milardo, J. Beaudoin, T. Flaherty, N. Gallo, T. Lovell, Matt Murphy, D. Treat, G. Khambatta, K. Emerson, Mrs. Marley

The public session began at 7:00 pm

Public Announcements

- The Annual Firemen's Parade will be held on Saturday, December 8th starting at 2:00 pm.
- There will be a holiday concert sponsored by the Cable Committee at the Middle School on Thursday, December 13th at 6:00. The admission is free but donations of food for the food pantry and supplies for the troops will be accepted. The concert is the Don Campbell Band.
- 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

Ed Lanpher- 585 Route 111

Mr. Lanpher asked the Selectmen to consider asking the Board of Adjustment for a rehearing on the recent decision on the Moseley case on Old Forge Road. Mr. Lanpher stated that he was assisting an abutter to the property that was concerned with the approval of the property for an in home business. He noted that the business did not meet the intent of the ordinance. He went over the history of the property and explained that Mr. Moseley has trucks and deliveries coming and going daily along with employees. He asked that the Selectmen step in and ask for a rehearing. Mrs. Marley, an abutter to the Moseley property, explained the situation. She lives next door at 17 Old Forge Road and purchased her house about 4 years ago. She stated that Mr. Moseley completely runs the business from his home and has 1-3 employees and at least 3 trucks plus the trailers in and out daily. He gets truck deliveries as well as loam etc. She stated that she has young kids and is worried about the trucks coming and going. She would try to get the other neighbors to step forward with their concerns at the rehearing. Selectman Hartung asked Mrs. Marley if she was going to ask for a rehearing whether the Selectmen granted it or not. She stated that she would and that she knows there is a fee involved in the rehearing and would pay that (fee only due if the rehearing is granted). She stated that she purchased the house in a residential area for a reason and that there are zoning rules in place for a reason. She noted that there are no rules on a home occupation permit such as start and end times, frequency of deliveries etc. She stated that it is convenient for Mr. Moseley, but disrupts her life.

Selectman Lindquist explained that she spoke with Mr. Emerson, Chief Building Official, and that she was also present at the hearing. The Town of Hampstead had a court case regarding home occupations and the court upheld it. The case was the Bennett case and the business was the same, landscaping but Mr. Mosley's business is much smaller than Mr. Bennett's. She also noted that in 2008 there was a petition article on the warrant to restrict commercial trucks in a residential area and it did not pass. From what she has researched, she sees nothing wrong with the decision by the ZBA. Mrs. Marley asked if there was a limit to the number of employees allowed. Mr. Emerson replied that the testimony to the operation on site and no more expansion

from what was there at the time of the hearing. Other than that, while the case is still in the appeal process, he did not want to speak to it. Selectman Murphy stated that he understood her problem, but a business is within its right to run the business with the permit given, then they should be allowed to. Mrs. Marley stated that the business is higher than what was testified and that the fuels/fumes and the vibrations from the trucks is a problem. Selectman Murphy suggested that she bring those issues forward to request the rehearing (new information is required). Mr. Lanpher stated one of his objectives is why a resident should have to pay for a poor decision.

Selectman Murphy asked if the members of the Board of Selectmen would be interested in asking the Board of Adjustment for a rehearing regarding the Moseley case. The motion was seconded by Selectman Lindquist.

Selectman Hartung stated that maybe there needs to be an in between ordinance, a step above an in home business such as a seamstress and a commercial business such as Bennett's was deemed. He noted that home occupation permit doesn't really fit but that the remedy is to allow the home occupation permit.

The motion passed with no one in favor and three against the motion to ask for a rehearing.

Julia Forbes- 180 East Road

Mrs. Forbes thanked the Selectmen for addressing the issue that she brought up at a prior meeting regarding the error on the tax maps. She received notice that the error is corrected from the mapping company. She stated that it was efficiently and promptly handled by Mrs. Theriault and Mr. Rossi (mapping company). She did note that she was still waiting on information from Mr. Emerson regarding set backs on propane tanks. Later in the meeting Mr. Emerson came in and stated that he sent the Selectmen a response to her request and asked that it be checked whether or not it was sent to her.

Linda Ross- Beach Road

Mrs. Ross explained that her father, Mr. Guthrie, is the current holder of the Boston Post Cane and he has been placed in a nursing home outside of the area (NH) and according to the regulations, she must return the cane to the town. She turned the cane over to Selectman Lindquist. Selectman Lindquist noted that he is still the official holder of the Boston Post Cane as the oldest citizen of Hampstead.

Department Heads

Trustee of Trust Funds- Gustav Khambatta

Mr. Khambatta noted that the Trustees of the Trust Funds are down one member since Mr. Gallo stepped down. He understood that there was a request from Aileen Wall to be appointed and would like to see the position filled.

Selectman Hartung motioned to appoint Aileen Wall as a Trustee of the Trust Fund for the balance of the term (2013). Selectman Lindquist seconded the motion. Mrs. Harrington noted that whereas Aileen Wall is also a Library Trustee she looked into making sure it was not an incompatible office and it is not.

The motion passed unanimously.

Recreation- Tracey Flaherty

Mrs. Flaherty was present on behalf of the Recreation Commission to ask the Selectmen for permission to pursue putting an ice skating rink in the field behind the Town Hall. The rink would actually be from an ice rink kit. The size is about 38 x 83. Volunteers will be needed to set it up and break it down and the fire department will fill it up. She would need to see if Buildings and Grounds would be able to maintain it such as keeping it clear of snow. They thought the best location is behind the Town Office where there would be parking and the rink

would be visible. The kit is \$869 and there is already a donation of \$200 for it. The HRC is looking at more donations for the costs. Selectman Hartung asked if the land would need to be leveled off to place the rink down. Mrs. Flaherty stated that with the kit she is looking at that won't be required because it has leveling blocks. She also noted that they will work with Steve Harms to make sure they find the best spot. Selectman Hartung noted his concern for the sprinkler system and the turf. Mrs. Flaherty said that the research shows there is no impact to the lawn. It will not be lit so they are looking for it to be dusk to dawn use and for general ice skating for families. Mrs. Flaherty was asked to check with St. Anne's as well to make sure they were okay with whereas their parking lot may be used. The HRC didn't want to pursue this if the Selectmen were not on board with the idea. The Selectmen agreed that they had no issue with it. Mr. Matt Murphy asked if the cost would be in the 2012 or 2013 budget. Mrs. Flaherty wasn't sure whereas they are waiting to take the next step and pursue the donations.

Police Station Building Committee- Steve Londrigan

Mr. Londrigan had asked the Selectmen at a previous meeting to help them break an impasse on how to move forward to fund a new police station. At that time the options were bond the project or put money away annually in a capital reserve fund. The Selectmen also threw in to fund it in one year and be done. At that meeting the Selectmen suggested two articles, one for the bond and one for a one and done. The Committee has since met and they feel that two articles will be difficult and they believe the best way to move forward would be a one year payment for the project. Selectman Murphy asked about the wording on the article. Mrs. Theriault stated that she received it from Town Council and that DRA will review all the articles before deliberative session to make sure they are worded correctly. They offer no opinion except on the language. Selectman Murphy noted that Town Council did say the two articles would work with certain language but the committee is stating that they don't want to split the vote and confuse the public. Mr. Matt Murphy asked what happens if both articles passed. Selectman Murphy stated that the one with the largest majority would win. Selectman Hartung explained that if a bond requires 3/5 or 60% a one and done could get 55% and pass but the bond would win. He stated it should be one choice. The impact is about \$1.00 on a million per thousand of assessed value. There was discussion on the impact of putting the whole thing in the budget for one year. The tax impact would be felt completely on the second bill of 2013, along with 1/2 of the December 2013 bill in June 2014. In December 2014 the adjustment will be made to reflect any possible overpayment on the June 2014 bill.

Selectman Murphy motioned to recommend the direction to the Police Station Building Committee to be a one year article for the full cost for the 2013 warrant. Selectman Lindquist seconded the motion. Selectman Hartung asked that the motion be tabled until the 2014 tax impact could be reviewed. The motion to table had no second.
The motion passed unanimously to recommend the one time financing.

Conservation- Tim Lovell-

The Conservation Commission is acquiring property from Joan Emmert that abuts other Conservation Land. They have requested a proposal for the property to be surveyed and for the Selectmen to review the Purchase and Sales agreement. The money for the purchase will come from the Land Purchase Fund.

New Business

Land Survey Work-Conservation Parcel

There were two proposals received

Holden Engineering of Concord/Bedford NH \$11,823

Cornerstone Engineering- Chester, NH \$14,600

The proposals were handed to the Conservation Commission for their review. They were meeting tonight to review them and will come back with a response.

Selectman Lindquist motioned to forward the proposals to the Conservation Commission for their recommendation. Selectman Hartung seconded the motion. The motion passed unanimously.

Later in the meeting the Conservation Commission came back and asked that the proposals be thrown out and put back out to bid. The Selectman questioned if there was time but Mr. Lovell stated that winter is a good time because the trees are bare and it is easier to see.

Selectman Lindquist motioned to reject the two proposals and to rebid the project as requested by the Conservation Commission. Selectman Hartung seconded the motion. The motion passed unanimously.

Family Mediation- Natalie Gallo

Mrs. Gallo was present tonight to explain the function of the Family Meditation program. She is one of the two representatives from Hampstead on the Board of Trustees. She handed a pamphlet to each member and a letter to the Chairman. The funding for 2013 is level funded at \$11,400. The funding is determined by population, not use. Mrs. Gallo noted that there have been significant changes in 2012 regarding types of support they provide. They try to meet the needs as they see they evolve. They offer support for children & families, classes for specific issues such as anger management as well as community service placement. This year they are finding a need for grandparents raising their grandchildren so there will be a support group for this coming up. They have had consultations with families looking for food/housing/communication assistance as well as domestic violence assistance. The funding from the federal agencies is drying up, but the services are still important. The trainers are always staying up to date on certifications. Their mantra is "regardless of funds, just go ahead, the funds will come through". There are fees to those that attend and are not in one of the supporting towns. There are also some classes that have a fee attached to them (6 of the 8). They do fundraising such as selling tickets at the Rockingham Track. The staffing has been adjusted as funds have disappeared. Mrs. Gallo was asked if Hampstead uses the services a lot. She responded that she didn't know and that not all services are documented. Selectman Murphy asked for a representation of how much Hampstead uses the services. Mrs. Gallo will try to get the information. She will forward to Mrs. Theriault and she will send to the Selectmen.

Public Hearing on Unanticipated Grants Received in 2012

Pursuant to RSA 31:95 (b), the Hampstead Board of Selectmen will be holding a public hearing on Monday, November 26th 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 grants received in 2012.

The public hearing was opened at 8:20. (no one came in from the public)

There was a FEMA grant for the 12/5/11 storm in the amount of \$9,979.91 and the grant from Homeland Security for the new sprinkler system at the Central Fire Station for \$55,400.00

There were no public comments.

The public hearing was closed at 8:22 p.m.

Old Business

Liaisons Reports

Chairman Murphy

No updates

Selectman Lindquist

Historic Commission- They held the 39th Ecumenical Service at the Meeting House and it was well attended and she thanked all that helped.

RAWD- The recycling rate has increased to 27%. We are also standing at the #5 spot for the RecycleBank program. There is still time for people to sign up for the program or they can call.

Town Pound- The Boy Scout troop recently cleaned up the Town Pound off Eastman Road and she thanked them.

Selectman Hurting

Regional Health- There are some changes coming up. They are moving around the districts, but ours did not change. He noted that substance abuse is now an issue that falls under the Regional Health Alliance. The focus of the group is changing and broadening.

CART- The director recently resigned and there is a 3 month interim director in place through a management contracting company. The Hampstead/Derry shuttle is still being finalized, but behind schedule.

Administrative Assistant Report

Update on generator

The ground work for the generator for the Town Office building has begun.

Update on Resident Power

Residents are now able to sign on to Resident Power through dropdown menu for Hampstead, thus starting the funding mechanism for the Town and hopefully savings opportunities for residents. For those who are interested, the website for Resident Power is www.residentpower.com.

Signatures needed for sale of the Kent Farm parcel

The Town's attorney has requested that a number of documents be signed by all three members of the BOS this evening. Also Atty. Bronstein would like the BOS to authorize a signatory for the closing. Atty. Bronstein expects the closing to be scheduled towards the end of this week. One person will need to be available for the closing. Selectman Lindquist is available on Thursday and Selectman Hartung on Friday.

Selectman Hartung motioned that Selectmen Hartung and Lindquist be authorized to sign the closing documents. Selectman Murphy seconded the motion. The motion passed unanimously.

Meeting Minutes

There are no meeting minutes at this time to accept

Activity Log

It was agreed to update the information on the generator.

Re- Appointments/Appointments

Call for candidates

- o Ordway Park, full members and alternates – monthly meetings
- o Cable Committee volunteers – monthly meetings
- o Recycling and Waste Disposal Committee – monthly meetings
- o Town Facilities Committee
- o Hampstead Police Building Committee.
- o Rockingham Planning Commission member

There was a request from Chip Hastings to be appointed to the Town Facilities Committee. **Selectman Lindquist motioned to appoint Walter "Chip" Hastings to the Town Facilities Committee. Selectman Hartung seconded the motion. The motion passed unanimously.** This gives the committee 4 members. They will be asked if they want a 5th to balance it out.

Correspondence-
Card from Pentucket Bank

Visitors Comments

There were none.

Non public #1

Selectman Lindquist motioned to go into non public session at 8:45 pm under RSA 91-A: 3 II (d) property. Selectman Hartung seconded the motion. Roll call vote. Selectman Hartung, yes; Selectman Lindquist, yes; Selectman Murphy, yes; Mrs. Theriault updated the Selectmen on the PILOT agreement with Camp Tel Noar and they have agreed on the amount of \$41,500. This will not include the newest property they are purchasing and the Selectmen want the ability to review it again next year.

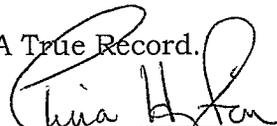
Selectman Hartung motioned to come out of non public session at 8:50 pm under RSA 91-A: 3 II (d) property. Selectman Lindquist seconded the motion. Roll call vote. Selectman Hartung, yes; Selectman Lindquist, yes; Selectman Murphy, yes;

Non public #2

Selectman Hartung motioned to go into non public session at 8:50 pm under RSA 91-A: 3 II (e) litigation. Selectman Lindquist seconded the motion. Roll call vote. Selectman Hartung, yes; Selectman Lindquist, yes; Selectman Murphy, yes;

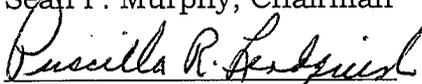
Selectman Lindquist motioned to come out of non public session at 9:12 pm under RSA 91-A: 3 II (e) litigation. Selectman Hartung seconded the motion. Roll call vote. Selectman Hartung, yes; Selectman Lindquist, yes; Selectman Murphy, yes; **Selectman Hartung motioned to seal the minutes of the non public #2 under RSA 91-A:3 II (e) litigation. Selectman Lindquist seconded the motion. The motion passed unanimously.**

Selectman Hartung made a motion to adjourn at 9:15 p.m. Selectman Lindquist seconded the motion. The motion passed unanimously.

A True Record.


Tina Harrington, Recording Secretary

Approved By:

Sean P. Murphy, Chairman


Priscilla R. Lindquist, Selectman


Richard H. Hartung, Selectman