

BOARD OF SELECTMEN  
MEETING MINUTES  
April 27, 2015

**PRESENT:** SEAN P. MURPHY, CHAIRMAN, PRISCILLA R. LINDQUIST, SELECTMAN; CHAD BENNETT, SELECTMAN

Visitors: P. Williams (Tri Town News), J. Worthen, R. Hartung, Chief Beaudoin,

Public Announcements

- Tuesday, April 28, Special Election from 8am -8pm at the Town Offices, located at 11 Main Street.
- Compost bins are available at the Town Offices. The cost for each bin is \$50 each.
- Waste Oil, 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 anytime.

Visitors Comment

Department Heads

Police Department- Chief Beaudoin

Chief Beaudoin stated that he received notice of approval on the three State of NH grants the department applied for. They are Hampstead DUI/DWI Patrols, Hampstead Enforcement Patrols and Hampstead Red Light Running. All three grants have an effective date of May, 1, 2015. The estimated total for the three grants is just over \$18,000. The Red Light grant has 22 shifts of 4 hours each shift. The DUI/DWI grant has 23- 5 hour shifts. The third one for enforcement has 22- 4 hour shifts.

Chairman Murphy motioned to accept the three grants. Selectman Lindquist seconded the motion. The motion passed unanimously.

Chief Beaudoin asked if the Selectmen would consider allowing the Animal Control Officer and the Assistant Animal Control Officer use the old police station while it is vacant. He stated that they could move their desks in and a couple of files. They would only occupy the two front offices and use of the bathroom. He went on to say that if the building got leased, it would be easy enough for the ACO to pack up and move back to the station. Chief Beaudoin said that they won't need to use the air conditioning whereas they won't be there all the time.

Chairman Murphy and Selectman Lindquist both thought it was a good idea to have someone occupy the building to keep an eye on it. Chief Beaudoin stated that the ACO could change the locks and keep it clean.

Chairman Murphy motioned to allow the ACO and her assistant to use the two front offices at the old police station along with the bathroom on a temporary basis. He also noted that if the locks are changed the town needs to be given a copy of the keys. Selectman Lindquist seconded the motion. The motion passed unanimously.

Chief Beaudoin presented the Selectmen with a letter from the Rockingham County Attorney Conway congratulating Sergeant Kelley on the work done on the Kent Farm Road home invasion case. It was noted that 3 of the 4 charged pleaded guilty and the 5<sup>th</sup> one was found guilty.

Ordway Park- Julie Forbes, Chairman

Mrs. Forbes was present to speak to the Selectmen about littering. She said that there was research done at the town office to see if there was a local ordinance regarding littering and nothing was found. There is a state law but it speaks to litter being thrown from vehicles. She stated that over the weekend she was at the park and took pictures of trash found around the park such as a roofing sign, construction wrapping and wrapping from roofing shingles. She went on to state that these were not items thrown from a vehicle and they weren't from Ordway Park. She stated that this was an issue that would need to be addressed and that the Ordway Park Committee mentioned at the Planning Board meetings that there was a concern about the potential of litter. There are no resources to police the issue and she asked that the Selectmen set and collect fines for littering.

Selectman Lindquist suggested that Mrs. Theriault contact other communities and see what they do. It is to be added to the activity log. Selectman Lindquist will look through what she has at home to see if she is able to locate an ordinance on littering.

New Business

Proposals for Paving

1. GMI Asphalt of Belmont NH –  
Machine \$72.25 per ton Hand \$125.00 per ton Tack \$3.00 per gallon
2. Brox Industries –Dracut MA-  
Machine \$67.80 per ton Hand \$115.00 per ton Tack \$5.00 per gallon

Proposals for Line stripping

1. Property Innovations- Manchester NH  
Double Yellow at \$.063 and single white at \$.032 for an estimate of \$9,525.00
2. Hiway Safety Systems- Rockland MA  
\$.0385 per linear foot single line or \$.076 for a double line estimate of \$5,775.00
3. Markings Inc. of Pembroke NH  
75,000 linear feet with a cost of .0395 per linear foot.
4. Industrial Traffic Lines- Londonderry NH  
Double Yellow at \$.064 for a total of \$4,800 and single white at \$.033 at \$4,950-Total \$9,750.00

Proposals for Police Station Paving Project

1. Petra Paving- Hampstead, NH \$18,827.00
2. GMI Asphalt Belmont NH machine at \$72.25 per ton, hand \$125.00 per ton tack \$3.50 gal
3. Brox Industries- Dracut MA by machine \$84.00 per ton
4. Bennett Construction- Hampstead, NH \$27,000.00

Chairman Murphy motioned to forward the three proposals to Jon Worthen for his review and recommendation. Selectman Lindquist seconded the motion. The motion passed unanimously.

Old Business

Road Agent changes from part time to full time.

Chairman Murphy stated that he thought it would be a good idea for the Selectmen to have a work session to discuss the job description and position rather than having it go to a committee. He stated that he felt it would save time, would be open to the public for input and doesn't rule out that it still can go to a committee later. The Selectmen asked Mrs. Theriault to look for some job descriptions from other communities. Selectman Bennett agreed that they could discuss what they want the job description to have in it. They will set a date for the work session at the next meeting.

Old Depot Road

Mrs. Theriault reported that in 2001 the Town of Hampstead voted to discontinue the road subject to gates and bars. Road Agent Worthen said that he looked at the site and that he would need 15 boulders to be 2 feet apart and the costs of the time and materials. He said that it is now blocked off to stop cars from getting through. Selectman Bennett stepped down from the Selectmen table at 7:27 and spoke from the visitors' podium. He said that there is no automatic right for OHRVs to use a closed VI road. Mr. Bennett spoke to a Warden from Fish and Game and was told that State of NH has an access point for emergency access and other than that it is closed so that no motorized vehicle could pass. The town side is open. Mr. Bennett stated that he has seen people use winches to widen the gap to make it more passable. If the Selectmen were to open it up to OHRVs it would create access for them to reach Route 121. He stated that it was the town's responsibility to tighten up the rocks. He also noted that the Warden suggested closing it. Selectman Lindquist said that the Town said to close the road, so close it. Mr. Bennett went on to explain that class VI roads can be allowed access by OHRV's by the Selectmen and currently there are discussions about opening up the back side for trail access to Depot Crossing. The road was closed back in 2001 due to complaints about noise and parties etc. Chairman Murphy said that he heard whereas Depot Crossing was the only gas station for a while, that it was good to have the access of the trail to the gas station, but not to allow them onto Route 121. Mr. Bennett pointed out that for 30 years or more, there was no gas stations in that area and the trails have been okay. The first proposal for Depot Crossing included an access road to the new site. In the minutes of the Planning Board meetings it was noted that Joe Guthrie had concerns about OHRVs entering the parking lot where cars were also entering and that it was a life safety issue. The second proposal for the Depot Development did not include the trail system in the back to the store. Mr. Bennett noted that the project with the trail was denied and the plan without the trail passed. Chairman spoke to the point about life safety and the OHRVs entering that it would be a similar issue with motorcycles. Mr. Bennett asked that the Selectmen forbid motorized vehicles from accessing Old Depot Road. Chairman Murphy wanted to see a proposed plan on the access behind the trail to Depot Crossing before there was a vote. Chief Beaudoin offered to sit with Mr. Worthen and Mr. Bennett to go over the site. He stated that Fish and Game never intended to open the road. Selectman Lindquist asked if the Selectmen had the authority to allow OHRVs. Mr. Bennett returned to the Selectmens table at 7:45 pm. He stated that it was a good idea to close it for now and meet with Chief Beaudoin and Mr. Worthen. The discussion was tabled until the next meeting.

Liaison Reports

**Chairman Murphy**

Nothing to report

**Selectman Lindquist**

Nothing to report other than that she went to her first Library Trustees meeting.

**Selectman Bennett**

Planning Board has been having work sessions working on updating policies and procedures.

AA Report:

Update on spring projects

Steve Harms is in the process of getting quotes for the exterior work that is needed on the Town Office building as well as quotes for replacement window(s). The cost will determine how many windows get repaired and or replaced.

Mrs. Theriault also reported that she will be putting out an ad for a part-time laborer to fill a soon-to-be vacant spot.

Update on Fire Department

The RFP for the pumper has gone out with a return date of May 11<sup>th</sup>. This was approved by the voters in March.

Applications have been received for the fire department 24/7 coverage. The department is in the process of reviewing those applications.

### Health Trust Workshop

Mrs. Theriault reported that she recently attended the Health Trust Benefits Administrators' workshop. A lot of information was disseminated. The most important court ruling will be decided in June of 2015. The court is to rule on whether or not Federal Subsidies are available on Federally Facilitated Exchanges, those that are not established by the state.

### Meeting Minutes

The March 23<sup>rd</sup> meeting minutes have been signed and are ready for approval. Selectman Lindquist motioned to approve the minutes of March 23, 2015 as edited. Selectman Bennett seconded the motion. The motion passed unanimously.

### Activity Log

The activity log was reviewed. Mr. Worthen stated that the Town of Derry is in the process of changing their streetlights to LED lights in the downtown area. Mrs. Theriault noted that the old police station is on the next school board agenda. Mr. Emerson has not given her a memo as to what needs to be done at the station. This is a very busy time of year for him right now. Mrs. Harrington noted that they were not looking at a new software package for the accounting/payroll, but looking to add the HR module to what is currently used. Chairman Murphy asked for the cost to be available for the next meeting.

### Re- Appointments/Appointments

- Call for candidates :
  - Ordway Park, full members and alternates – monthly meetings
  - Recycling and Waste Disposal Committee – monthly meetings
  - Recreation Commission, alternate member – monthly meetings
  - Trustees of the Trust Funds, alternate members – meetings as needed

Appointments- Geoff Dowd is currently a full member of the Recreation Commission and his term is up. He asked to be moved to an alternate position and alternate Liza Snyder asked to moved to a full position. Selectman Lindquist motioned to appoint Geoffrey Dowd as an alternate to the Recreation Commission with a term to expire in 2018 and to appoint Liza Snyder to the Recreation Commission as a full member with a term to expire in 2018. The motion was seconded by Selectman Bennett. The motion passed unanimously.

### Correspondence

There was none

### Visitors Comments

There was none

### Nonpublic Session

Selectman Lindquist motioned to enter into a nonpublic session at 8:03 pm under RSA 91A: 3 II (c) reputations. The motion was seconded by Selectman Bennett.

Roll Call Vote: Selectman Bennett- yes, Selectman Lindquist - yes and Chairman Murphy- yes.  
Chief Beaudoin stayed.

Chairman Murphy stated that he recently contacted town counsel to ask what the town's options were in dealing with constant complaints and messages left with profanity on voice mails. Chief Beaudoin stated that if it is harassment than it needs to be documented and becomes a police matter. It was suggested that one person be the contact for the people filing complaints and that it be sent to them in writing outlining the process if they have any future concerns. It was emphasized that any previously investigated complaints will not be investigated again. Mrs. Theriault stated that she is currently the point of contact for the complaints regarding Depot Crossing. She takes the issues and looks into what needs to be done and follows

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up with the property owner when needed. Usually the whole process takes about 48 hours. She currently receives about 3-4 calls per week and makes 1-2 calls per week to the owner. Chairman Murphy directed that the letter be drawn up and a copy of the drainage report be sent to the abutter and to log the complaints. Chief Beaudoin spoke about the complaints his department has received and said that there are some they can ask to stop such as 5 am emptying of the dumpster, but has no right to stop the business from receiving deliveries at 3 or 4 in the morning. He stated that some are unnecessary noises. He also noted that a fence would eliminate a lot of the problems but that is between the owners of the two properties. Chief Beaudoin left at 8:20 pm

Mrs. Theriault updated the Selectmen on an issue with an easement and Ordway Park. It was recently discovered that an easement that was to have been filed back in the 1990's was never done that would protect the stone wall at Ordway Park. After it was discovered that the easement could not be located, Mrs. Theriault started working with Attorney Bronstein about doing a new one. That easement is now completed and when Mrs. Forbes was shown a copy of it she had an issue because she has since learned that there is a 66 foot ROW on Depot Road that is mentioned as far back as the 1800's. Depot Crossing plans do not show the 66 foot ROW and Mrs. Forbes stated that if it was asserting the ROW for Depot Crossing it shouldn't do it for Ordway Park. In 1997, Article 28 was a warrant article to allow the town to do an easement to protect the wall and Mrs. Forbes was concerned that if Depot Crossing was to be treated differently then she didn't want this easement as was required. If the easement does not get recorded, we are out of compliance with the Consent Decree. The Selectmen agreed that the easement that was required in 1997 needs to be recorded so that the Town is in compliance. This shows that the issue was remedied once the oversight was discovered. The Selectmen signed the easement.

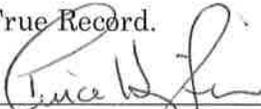
Selectman Lindquist motioned to come out of nonpublic session at 8:35 pm under RSA 91A: 3 II (c) reputations. Selectman Bennett seconded the motion.

Roll Call Vote: Selectman Bennett- yes, Selectman Lindquist - yes and Chairman Murphy- yes.

The Selectmen moved the May 25<sup>th</sup> meeting to May 27<sup>th</sup> at 7:15 pm.

Selectman Lindquist motioned to adjourn at 8:35 pm. Selectman Murphy seconded the motion. The motion passed unanimously.

A True Record.

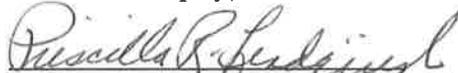


Tina Harrington, Recording Secretary

Approved By:



Sean P. Murphy, Chairman



Priscilla R. Lindquist, Selectman



Chad Bennett, Selectman