

Note: Draft minutes are subject to corrections, additions and deletions.

### Minutes of April 01, 2013

PRESENT: Philip Bean, Chairman  
Richard Nichols, Vice Chairman  
Michael Pierce, Selectman  
Ben Moore, Selectman  
Mary-Louise Woolsey, Selectman  
Jamie Sullivan, Acting Town Manager  
Mark Gearreald, Town Attorney  
Kristina Ostman, Administrative Assistant

#### SALUTE TO THE FLAG

Chairman Bean introduced Police Chief Jamie Sullivan who is the acting Town Manager while Mr. Welch is on vacation.

Chairman Bean explained who would be making the motions on the four public hearings for the Amending of the Permissions/Licenses and Consents.

#### I. Public Hearing RSA 31:95-b,III,(a)

1. To accept, and expend unanticipated monies of approximately \$15,000 from a PEP Grant for Hampton Recreation and Parks.

Chairman Bean read the legal notice and opened the public hearing at 7:01PM.

Mrs. Dyana Martin, Recreation and Parks Director, explained that the SAU 21 Administrative Assistant Barbara Hopkins is writing the grant; the purpose of this grant; and the benefit the Town would receive from the grant. No Town funds will be spent; the Town is the beneficiary of the grant if approved.

No comments from the public.

Selectman Pierce questioned why the information given on the grant was so brief.

Acting Town Manager Sullivan explained that Town Manager Welch put this on as a precautionary measure for the acceptance of this money under the grant; requested that this receive a public hearing.

MOTIONED by Selectman Moore to close the public hearing at 7:06PM and SECONDED by Selectman Woolsey.

Selectman Moore MOTIONED to proceed with the grant application to accept and expend unanticipated monies of approximately \$15,000 from a PEP Grant for Hampton Recreation and Parks SECONDED by Selectman Woolsey.

VOTE: 5-0-0

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## II. Public Hearings RSA 72:23

Selectman Pierce in accordance with RSA 72:23 read the legal notice to open the public hearing at 7:07.

1. Changing Permissions/Licenses for the Presence of Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE 's Infrastructure in Town highways or public rights of way in Hampton or public grounds so as to Impose Tax Payment Obligations under RSA 72:23

The Hampton Board of Selectmen will hold a Public Hearing on Monday, April 1, 2013 at 7:00 pm at the Town Offices at 100 Winnacunnet Road, Hampton, New Hampshire, for the purpose of considering the Petition of Hampton Tax Assessor Edward C. Tinker to change all permissions/licenses previously given in any form or manner for the infrastructure of Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (hereinafter "FairPoint") and any of its predecessors to be located in Town highways or public rights of way in Hampton or public grounds so as to impose upon FairPoint the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or public rights of way in Hampton or public grounds and the obligation to pay real and personal property taxes on structures or improvements in Town highways or public rights of way in Hampton or public grounds added in the future by FairPoint, or its successors and assigns.

Atty. Gearreald and Mr. Tinker, Chief Assessor present to explain the public hearing. Atty. Gearreald gave some background regarding the taxing of these utilities for their infrastructure in Town highways or public rights of way; court litigation that has taken place in regards to Aquarion; 4 other utilities before them tonight; prudent to proceed to amend all utilities that are present in the Town's rights of way; lawsuit in Merrimack County Superior Court; taxed all utilities since 2011.

Mr. Tinker explained the petition's purpose; amend all consent documents in regards to utilities to include the language of 72:23 I (b); best interest of the public's good for Hampton; Hampton maintains the rights of way; primary reason for seeking this amendment; pole license petition received by Town Clerk; amendments will treat all users equally.

### Public Comment

Atty. Gearreald explained they are taking each utility separately and are currently dealing with Northern New England Telephone Operations LLC d/b/a FairPoint Communications.

Mr. Jerry Znoj, 16 Presidential Drive; expressed the following concerns: raising revenues on the backs of our taxpayers, if the Town taxes Fairpoint then the cost will be passed right back to the resident. Questioned whether Comcast infrastructure will be taxed.

Atty. Gearreald clarified that the Comcast contract has a provision in it for the taxing of the infrastructure.

On a MOTION by Selectman Pierce and SECONDED by Selectman Woolsey at 7:17PM the public hearing was closed.

### Board Comments

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Board Members Pierce, Woolsey, Nichols discussed the following: whether taxes will be passed on to residents in the form of increased rates; difference between taxpayers and rate payers; some rates will not go up since some rates are controlled; not as simple as it is made out to be; this is the fair way to do this; underground utilities.

Selectman Pierce: I hereby MOVE that as it is in the public good to do so, that the Board of Selectmen amend all permissions/licenses previously given in any form or manner for the infrastructure of Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (hereinafter "FairPoint") and any of its predecessors to be located in Town highways or rights of way or public grounds, so as to impose upon FairPoint, its heirs, successors, agents or assigns the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or rights of way or public grounds and the obligation to pay real and personal property taxes on structures or improvements in such Town highways or rights of way or public grounds that are added in the future by FairPoint, its heirs, successors, agents or assigns, and to indicate pursuant to RSA 72:23, I (c), that failure of FairPoint, its heirs, successors, agents or assigns to pay the duly assessed real and personal property taxes when due shall be cause to terminate said permissions/licenses by the Town of Hampton, and to sign the Amendment to Permissions/Licenses provided for that purpose SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Selectman Moore in accordance with RSA 72:23 read the legal notice to open the public hearing.

2. Changing Permissions/Licenses for the Presence of Unitil Energy Systems, Inc.'s in Town highways or public rights of way in Hampton or public grounds so as to Impose Tax Payment Obligations under RSA 72:23

The Hampton Board of Selectmen will hold a Public Hearing on Monday, April 1, 2013 at 7:00 pm at the Town Offices at 100 Winnacunnet Road, Hampton, New Hampshire, for the purpose of considering the Petition of Hampton Tax Assessor Edward C. Tinker to change all permissions/licenses previously given in any form or manner for the infrastructure of Unitil Energy Systems, Inc. (hereinafter "Unitil") and any of its predecessors to be located in Town highways or public rights of way in Hampton or public grounds so as to impose upon Unitil the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or public rights of way in Hampton or public grounds and the obligation to pay real and personal property taxes on structures or improvements in Town highways or public rights of way in Hampton or public grounds added in the future by Unitil, or its successors and assigns.

Atty. Gearreald explained that this hearing has to do with Unitil Energy Systems Inc; above ground; old pole utility; petitioned filed in Rockingham County Superior Court.

Mr. Tinker explained requesting changes to permission licenses previously given to the infrastructure; read a portion of RSA 72:23; received a copy of pole license petition.

Public Comment

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Mr. Bob Kerry, Attorney for Unitil, requested clarification that the taxes to be imposed on the infrastructure for 2013 and going forward will be prospective not retrospective.

Atty. Gearreald stated that it was prospective.

On a MOTION by Selectman Woolsey and SECONDED by Selectman Pierce at 7:26PM the public hearing was closed.

#### Discussion of Board

Selectman Pierce discussed the pole agreement in the past.

Selectman Moore: I hereby move that as it is in the public good to do so, that the Board of Selectmen amend all permissions/licenses previously given in any form or manner for the infrastructure of Unitil Energy Systems, Inc. (hereinafter "Unitil") and any of its predecessors to be located in Town highways or rights of way or public grounds, so as to impose upon Unitil, its heirs, successors, agents or assigns the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or rights of way or public grounds and the obligation to pay real and personal property taxes on structures or improvements in such Town highways or rights of way or public grounds that are added in the future by Unitil, its heirs, successors, agents or assigns, and to indicate pursuant to RSA 72:23, I (c), that failure of Unitil, its heirs, successors, agents or assigns to pay the duly assessed real and personal property taxes when due shall be cause to terminate said permissions/licenses by the Town of Hampton, and to sign the Amendment to Permissions/Licenses provided for that purpose SECONDED by Selectman Woolsey

VOTE: 5-0-0

Selectman Nichols in accordance with RSA 72:23 read the legal notice to open the public hearing at 7:29PM.

3. Changing Permissions/Licenses for the Presence of Public Service Company of New Hampshire's Infrastructure in Town highways or public rights of way in Hampton or public grounds so as to Impose Tax Payment Obligations under RSA 72:23

The Hampton Board of Selectmen will hold a Public Hearing on Monday, April 1, 2013 at 7:00 pm at the Town Offices at 100 Winnacunnet Road, Hampton, New Hampshire, for the purpose of considering the Petition of Hampton Tax Assessor Edward C. Tinker to change all permissions/licenses previously given in any form or manner for the infrastructure of Public Service Company of New Hampshire (hereinafter "Public Service") and any of its predecessors to be located in Town highways or public rights of way in Town highways or public rights of way in Hampton or public grounds so as to impose upon Public Service the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or public rights of way in Hampton or public grounds and the obligation to pay real and personal property taxes on structures or improvements in Town highways or public rights of way in Hampton and public grounds added in the future by Public Service, or its successors and assigns.

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Atty. Gearreald explained the following: initially Public Service was not taxed back in 2011; have discovered that in fact there is a short section in Town where there is infrastructure in our rights of way.

Atty. Gearreald read a letter into the record from the Attorney Christopher J. Allwarden, Senior Counsel, Legal Department representing Public Service Company of New Hampshire (PSNH) in to the record, the letter states that PSNH does not raise any objection to the proposed change but reserves it right to seek abatements of any such assessment or tax which is excessive, disproportionate or otherwise legally objectionable.

Mr. Tinker made comments as follows: initially informed by PSNH that they did not have any poles within the Town's right of way; have since been informed differently; have a 11 customers in Town; 700 ft. of lines; assessment of about \$5,400.

#### Public comments

Mr. Arthur Moody, 3 Thomsen Road, history of when PSNH was allowed to come into Town; street lights involved; 3 houses on Post Road; State Constitution says we should all pay are fair share in taxes; time when there was no taxes on poles; eminent domain rights; Zoning variances given; proper to do this; ownership of all the poles in Town; sure that the utilities charge Comcast for use of their poles.

On a MOTION by Selectman Woolsey and SECONDED by Selectman Moore at 7:36 PM the public hearing was closed.

Selectman Nichols: I hereby move that as it is in the public good to do so, that the Board of Selectmen amend all permissions/licenses previously given in any form or manner for the infrastructure of Public Service Company of New Hampshire (hereinafter "Public Service") and any of its predecessors to be located in Town highways or rights of way or public grounds, so as to impose upon Public Service, its heirs, successors, agents or assigns the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or rights of way or public grounds and the obligation to pay real and personal property taxes on structures or improvements in such Town highways or rights of way or public grounds that are added in the future by Public Service, its heirs, successors, agents or assigns, and to indicate pursuant to RSA 72:23, I (c), that failure of Public Service, its heirs, successors, agents or assigns to pay the duly assessed real and personal property taxes when due shall be cause to terminate said permissions/licenses by the Town of Hampton, and to sign the Amendment to Permissions/Licenses provided for that purpose SECONDED by Selectman Woolsey

VOTE: 5-0-0

Selectman Woolsey in accordance with RSA 72:23 read the legal notice to open the public hearing at 7:38PM.

4. Changing Consents for the Presence of Northern Utilities, Inc.'s Infrastructure in Town highways or public rights of way in Hampton or public grounds so as to Impose Tax Payment Obligations under RSA 72:23

The Hampton Board of Selectmen will hold a Public Hearing on Monday, April 1, 2013 at 7:00 pm at the Town Offices at 100 Winnacunnet Road, Hampton, New Hampshire, for the purpose of considering the Petition of Hampton Tax Assessor

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Edward C. Tinker to change all consents previously given in any form or manner for the infrastructure of Northern Utilities, Inc. (hereinafter "Northern Utilities") and any of its predecessors to be located in Town highways or public rights of way in Hampton or public grounds so as to impose upon Northern Utilities the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or public rights of way in Hampton or public grounds and the obligation to pay real and personal property taxes on structures or improvements in Town highways or public rights of way in Hampton or public grounds added in the future by Northern Utilities, or its successors and assigns.

Atty. Gearreald explained the following: unlike other three utilities most of Northern Utilities are under ground; age of infrastructure; case brought in Rockingham County Superior Court; fairness and equal treatment to all utilities.

Mr. Tinker would like the Board to update the consents so that they are all equal.

#### Public comment

Mr. Kerry for Northern Utilities asked for clarification if this is also to be prospective not retrospective, and yes it is prospective also.

On a MOTION by Selectman Woolsey and SECONDED by Selectman Pierce at 7:42 PM to close the public hearing.

Selectman Woolsey: I hereby move that as it is in the public good to do so, that the Board of Selectmen amend all consents previously given in any form or manner for the infrastructure of Northern Utilities, Inc. (hereinafter "Northern Utilities") and any of its predecessors to be located in Town highways or rights of way or public grounds, so as to impose upon Northern Utilities, its heirs, successors, agents or assigns the obligation under RSA 72:23 to pay both current and potential real and personal property taxes for the use and occupation of the said Town highways or rights of way or public grounds and the obligation to pay real and personal property taxes on structures or improvements in such Town highways or rights of way or public grounds that are added in the future by Northern Utilities, its heirs, successors, agents or assigns, and to indicate pursuant to RSA 72:23, I (c), that failure of Northern Utilities, its heirs, successors, agents or assigns to pay the duly assessed real and personal property taxes when due shall be cause to terminate said consents by the Town of Hampton, and to sign the Amendment to Consents provided for that purpose SECONDED by Selectman Pierce.

#### Questions

Selectman Pierce questioned the legal name of the company.

VOTE: 5-0-0

### III. Public Comment Period

Mr. Charlie Preston, 47 Glade Path, made comments as follows: making channel 22 pay-per-view.

Mr. Znoj, 16 Presidential Drive, commented on noise ordinance being in need of significant updating.

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Mr. Moody, 3 Thomsen Road, commented on ambulance calls and mutual aid; old fire alarm boxes; hopes to get some answers from this new Board; viewing inside of Court House.

#### IV. Announcements and Community Calendar

Selectman Pierce announced that on Saturday the 13<sup>th</sup> there will be a Downtown Hampton Charette; announced that residential parking on Church Street is closed, but residents can park in the lease parking lot, which is next to the old residential parking lot. Please do not park in the Church's parking lot.

Selectman Nichols reminded residents that the State is now charging for parking at the beach and happy to see the signage out this year notifying people.

Selectman Woolsey announced that there are handouts in the lobby of the Town Offices regarding the Charette.

#### V. Appointments

##### 1. Chief Sullivan

##### a. Departmental Update

Chief Sullivan presented his departmental update including: personnel update; activities for year; calls to State property.

Board Members Pierce and Moore had a discussion on the following with Chief Sullivan: amount of email Board received today in regards to the meeting tonight; suggested have all information prior to close of business on Friday; length of injuries expected to be short-term.

##### b. Report from the Emergency Management Department

##### i. ~~Reverse E-911 System~~

Chief Sullivan explained the report of the EMD and the Reverse E-911 System; two actions; one is to accept the data given to the Town; time to schedule and take action on the items on the list from the State.

Chief Silver explained Lt. Gudaitis has been working as the E911 liaison on this project for quite some time.

Lt. Gudaitis made comments as follows: survey done by the State; geo location for every address in Town; making information available to the Town; three separate documents; electronic data that the Town will receive and how it will be helpful to many departments; standards addressing guides suggested by the State; three particular areas that need to be addressed Hemlock Haven, Riverwalk and Drakes Landing; discussed if there were issues with Hampton Meadows.

Chief Sullivan explained asking the Board to accept number 1 and 2 tonight and suggest having a public hearing in the future to discuss the numbering issues.

Board Members Pierce, Moore, Nichols and Woolsey discussed the following with Chief Sullivan, Chief Silver and Lt. Gudaitis: if accept all 3 tonight, is the Town obligated to do anything; can Town dictate the naming of streets for these areas such as Hampton Meadows; document not a public document under RSA; capability is all good; capabilities of the reverse 911; limitations on system; access to the databases; policies that limit use to public safety; cannot be used for things such as trash pick-up or snow emergency; who has access to the

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databases in Town; why can the public not have access to the information in the survey; cell phones used by so many; issues with folks that have voice over program; signup feature that will be available for cell phones. Selectman Woolsey will not signing if public does not have access t this information.

Selectman Moore MOTIONED to move to accept the DATA Survey as provided by the Bureau of Emergency Communications, to authorize the Acting Town Manger Chief Sullivan to sign the acceptance letter which would accept the DATA Set; to acknowledge that we have non-standard addressing and sign the Data Release Agreement, that the data is to be kept for the use of Town of Hampton staff only this data is not considered a Public Record for the purpose of NH RSA 91-A and references chapter 106-H SECONDED by Selectman Pierce.

VOTE: 4-1(Woolsey)-0

Selectman Moore MOTIONED to move to adopt the NH Bureau of Emergency Communications “NH Addressing Standards Guide” as a protocol for future street addressing SECONDED by Selectman Pierce.

VOTE: 4-1(Woolsey)-0

Acting Town Manager Sullivan clarified that this was not a reverse 911 discussion. There was an additional discussion on what will be done next and changing names of streets for this purpose only.

Discussion between Board Members Woolsey, Nichols and Chief Sullivan on the Noise Ordinance; scheduling a work session to discuss this; measuring decibels and if equipment is available; public input meeting at a Selectmen Meeting at some time in July.

2. Keith Noyes, DPW Director
  - a. ecomaine Contract for Recycling Services

Mr. Noyes discussed the following: follow up on vote taken by Board last week; work that he and Atty. Gearreald have done on this contract; need to amend contract with Troiano for transportation.

Atty. Gearreald discussed the ecomaine Contract; gave the background on the subject; not considered an intergovernmental agreement; discussed insurance; contract with Troiano needs to be amended; requested the Board authorize the Acting Town Manager Chief Sullivan to sign the contact with ecomaine and an amendment to Troiano contract.

Selectman Moore MOTIONED to move to sign the Recycling Services Agreement with ecomaine as presented by the Town Attorney, effective April 1, 2013, and to authorize the Acting Town Manager to sign an amendment to paragraph 3 (a) of the Agreement with Troiano Waste Service, Inc. for the Transportation of Municipal Solid Waste and Recyclables to reflect the new destination to ecomaine in Portland, Maine at the cost of \$325.00 per load, effective April 1, 2013 SECONDED by Selectman Pierce.

Board members Pierce and Woolsey discussed the following: all set to terminate Casella with no repercussions; stipulation that the loads will be pretty much the same.

VOTE: 5-0-0

- b. Towle Farm Sewer Pump Station

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Mr. Noyes gave a summary on the history of the Towle Farm Sewer Pump Station and the reasons for the change order of \$10,500; asking for permission for Acting Town Manager to execute change order.

Board Members Pierce, Moore, Nichols and Woolsey discussed with Mr. Noyes and Atty. Gearreald the change order: Town not supposed to endure cost; by-pass pipe was asked for by DPW staff; reason for having the by-pass pipe; station not solely servicing Smuttynose; clarified change order was initiated by DPW staff; timing of dialogue for change order; did anyone approach Sustainable Ale for approval of by-pass pipe; total project cost; grant covering a portion of cost; reduce sewer connection fee for Smuttynose; property tax increase on this project; Smuttynose is a good deal; not in favor of taxpayer footing the bill; if there is a by-pass pipe on the Drakeside Road Pump Station; minimum standards for roads and pump stations in the works.

Selectman Moore MOTIONED to approve the Change Order for the Towle Farm Sewer Pump Station in the amount of \$10,500; and to authorize the Acting Town Manager to sign SECONDED by Selectman Woolsey.

VOTE: 3-2(Pierce, Nichols)-0

c. Lafayette Road and Winnacunnet Road Intersection

Mr. Noyes explained: DOT request for a warrant article for improvements to the Lafayette Road/Winnacunnet Road Intersection; results of vote; notify DOT that the Town will not be putting forward a warrant article in 2014.

Selectman Woolsey MOTIONED to allow Mr. Noyes to notify DOT that the Town will not be putting forward a warrant article in 2014 in regards to the Winnacunnet/Lafayette Road Intersection SECONDED by Selectman Pierce.

Board Members Pierce, Moore, Bean and Woolsey discussed with Mr. Noyes: voters have let their feelings known more than once on this; State will be sending the money to another community.

VOTE: 4-0-1(Moore)

Mrs. Woolsey made an additional request of Mr. Noyes which included working on huge waste problem; list of private roads/private properties who are currently having trash/recycling pick-up.

3. Hampton Beach Precinct Commissioners

a. Trash Pick-up at the Beach

Commissioners Chuck Rage and Robert Ladd present to discuss the Trash Pick-up at the Beach during the summer; where Town is going with trash pick-up; 30% of tax basis comes from the beach; number of phone calls they have received.

Board Members Pierce, Nichols and Woolsey and Mr. Noyes discussed with Beach Commissioners Rage and Ladd on the following: what changes are in store with the trash pick-up, would like to be involved in the decision making regarding the changes; proposed changes do not affect the beach during the summer season; if major changes would like to see Board have a public hearing; private streets and treatment of; fairness to the streets at the Beach; number of students from the beach is very small; changes will occur in the nine

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months, not during the seasonal time; problems with some of the private streets at the beach; the size of the barrels being used, are they the largest size; confirmed that it was the residential trash through the town that will only be picked up once a week; there was no changes in relation to commercial trash pick-up; very specific definition of what is residential and what is commercial; residential owner are at liberty to take their trash to the transfer station for any amount over then the normal pick-up; same criteria should apply to the residents; problem with the State; DPW Director spending 40% of his time on trash; work session to iron out some of this issues; different situation at the beach; listing of what is considered a commercial property.

Mr. Bob Preston, 35 Campton Street discussed: the Beach needs more help in trash pick-up in the summer; experience they had in Seabrook when they went from twice a week to once a week; multi-unit properties; large carts; not a lot of people renting in winter; fairness beach does need more days of trash pick-up.

Mr. Nichols asked that Acting Town Manager locate the document in regards to what is commercial trash and distribute it to them all.

Mr. Bill Bowley spoke about the recycling and its history of how the frequency of the pick-up occurred and how it is working; if recycle residential would get pick-up 3 times a week in the summer and once in the winter; commercial would get pick-up 3 times a week; don't have a problem picking-up trash but everyone keeps talking about it; trash is always picked-up.

4. Hampton Beach Area Commission
  - a. Annual Report

Mr. John Nyhan, Chairman of the Hampton Beach Area Commission gave the progress of the Commissions work load; summarized the Annual Report of the Hampton Beach Area Commission for the year 2012; members of the Commission; Beach Master Plan is only 12 years old; economic development of the west side of Ocean Blvd; grand opening of the Sea Shell Complex; opportunity to raise funds; architectural design they would like to see down at the beach; the grant money they received for updating the transportation part of the Master Plan for the Beach; transportation planning for directional signage to be consistent and the same type of signage; reconstruction of Ocean Blvd in the 10-yr transportation plan; finding money for economic development; Zoning, working with the ZBA on variances that are being applied for.

Mr. Nyhan invited the Board to attend their April meeting DOT Commissioner will be attending; and to their meeting in May with the DRED Commissioner; a public meeting on April 13<sup>th</sup> to provide input on the operations of DRED for the summer.

Board Members Pierce, Moore, Nichols and Woolsey discussed with Mr. Nyhan the following: Casino and Sal's Pizza; Ocean Blvd and drainage issues; purchase of the railroad by the State; time Mr. Nyhan spends on matters that affect Hampton; development on the west side of Ocean Blvd; the approved development with a height of seventy-feet and how does this happen, is it consistent with the Master Plan, along with future development of Block A; height restriction of 50 feet on Ocean Blvd.

## VI. Approval of Minutes

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1. March 18, 2013

Selectman Woolsey MOTIONED to move the Minutes of March 18, 2013 SECONDED by Selectman Pierce.

Page 1: Correct the spelling of Mary-Louise

Page 5: Add the following to the sentence beginning with Atty. Gearreald of the 4<sup>th</sup> paragraph. “answered that this change would be effective for April 1, 2013. Delete the following “explained that it would be going forward with this amendment.”

Page 6: Third Sentence, add the following at the end of the sentence. “and it was agreed that the Selectmen may at times respond to Public Comment but after the Speaker was finished but not in an interactive mode” and correct the spelling of Woolsey

Page 8: Correct the spelling of Pierce.

VOTE: 5-0-0

Business of the Board

1. Selectmen Appointed Committees/Commissions/Boards

a. Discontinuance/Sun-setting

- ii. Heritage Committee representative will continue as it is required by RSA, Selectman Moore is the representative.

Selectman Pierce made comments as follows: in favor of discontinuing the IT Committee; in favor of keeping the Recycling and Trash Committee; will be proposing a new committee at a later time.

Selectman Moore suggested: IT Committee had a Sun-Setting date that has transpired; the Permanent Building Committee.

Selectman Moore MOTIONED to abolish the Permanent Building Committee has envisioned by Chapter 565 adopted by the Board of Selectmen on August the 17<sup>th</sup> 2009 and deletes this section from the ordinance SECONDED by Selectman Nichols.

VOTE: 5-0-0

iii. Recycling and Trash Committee

Selectman Woolsey MOTIONED to CONTINUE the Recycling and Trash Committee until March 31, 2014, motion failed due to the lack of a second.

Board members Woolsey, Nichols, and Moore discussed the discontinuance of the Recycling and Trash Committee: plenty of work to be done; the effort that is made by the committee members; staggered terms; binding future Board of Selectmen; terms that have been set for members; discussion on Selectmen committees; we have Staff whose job descriptions and functions are to do the same; let the staff do their job instead of community volunteers overlapping efforts; possibility of ad-hoc committees.

iv. Representative to the Chamber of Commerce

Selectman Woolsey MOTIONED to discontinue the Representative to the Chamber of Commerce SECONDED by Selectman Pierce.

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Board Members Woolsey, Nichols, Moore and Pierce discussed the discontinuance of a Representative to the Chamber of Commerce: not necessary to have a representative to this committee; how long has there been a representative to the Chamber; meetings are not public.

VOTE: 5-0-0

v. Insurance Advisory Committee

Mr. Nichols discussed the lack of this committee ever meeting.

Selectman Nichols MOTIONED to discontinue the Insurance Advisory Committee SECONDED by Selectman Woolsey.

VOTE: 5-0-0

vi. Highway Safety Committee

A Motion was made and withdrawn. This subject will be carried over to the next week's meeting for discussion.

Board Members Pierce and Nichols made comments as follows: memo sent to a member of the committee; grant program Safe Routes to School; effect discontinuing this committee would have on programs such as Safe Routes to School.

2. Legal and Finance Review (Continued to April 15, 2013)
  - a. Revolving Fund – Articles 16, 17, 18
  - b. Channel 22 – Box Van

Board Member Woolsey would like to discuss LGC; a joint meeting with SAU 90 to discuss implementing cable for the schools on another night.

Chairman Bean added future discussion on noise ordinance as well as trash coming up.

Board Member Nichols made comments as follows: two bigger issues are accounting; discussion on April 15<sup>th</sup> should include aspects of funding for the schools; a couple of topics to be discussed, budget for Cable Committee for 2013, legal vehicles for Town to transfer funds to the schools. Mrs. Woolsey does not think transferring funds is an issue and budget should not be discussed until after talking to the SAU.

VII. Entertainment Licenses in-Process

1. Ron's Landing – 379 Ocean Blvd
2. Ashworth by the Sea – 295 Ocean Blvd

It was noted which businesses have yet to apply.

VIII. Consent Agenda

1. Proclamation – National Missing Children's Day
2. One Day Entertainment License – Judi Healy 1 Meadow Pond Road 05/25/13
3. 2013 Approved Credit & Exemptions. Elderly-New: Lucey, Daniel J. Veteran-New: Brockett, David N. Elderly-Requalification: Lee, Barbara; Littlefield, Wanda Rev. Trust; Bradley, Claudette Rev Trust; Winsor, Clara; Elderly & Veteran Requalification: French, W. & R Family Rev Trust. Veteran Requalification: Detso, Mark; Kelly, Patricia.

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4. 2013 Denied Credit & Exemptions – Elderly: Dargie, Christine; Marshal, Richard
5. Entertainment License “401 Tavern” 401 Lafayette Road
6. Entertainment License “Sea Ketch Restaurant” 127 Ocean Blvd

Actin Town Manager Sullivan read the Proclamation under Item #1.

Selectman Nichols MOTIONED to MOVE the Consent Agenda SECONDED by Selectman Pierce.

VOTE: 5-0-0

#### IX. Closing Comments

Selectman Nichols asked about grant associated with National Hazard Mitigation Grant area of Dearborn down to Lafayette where in the DPW budget is the Town portion of funding going to come from.

#### X. Adjournment

Selectman Woolsey MOTIONED to adjourn the public meeting at 9:57PM SECONDED by Selectman Pierce.

VOTE: 5-0-0

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Chairman