

**TOWN OF NEW HAMPTON  
BOARD OF SELECTMEN  
MEETING MINUTES  
TOWN OFFICES  
NEW HAMPTON, NH 03256**

January 28, 2010

**MEMBERS PRESENT:** Selectmen Paul Tierney, Charles Bartley and Kenneth Mertz were present.

**OTHERS PRESENT:** Town Administrator Barbara Lucas was present.

**CALL TO ORDER:** Chairman Paul Tierney called the regular meeting of the Board to order at 6:00 p.m.

**WORK SESSION:**

*Fire Department Personnel*

Two payroll changes were submitted adding two persons as firefighters. These were signed by Chief Drake and submitted to the Board. The Selectmen reviewed and approved.

*Central Street Bridge*

The Board was in receipt of an invoice from SEA for \$3,105.50 (New Hampton's portion being 50% or \$1,552.75) for various tasks. Mr. Tierney made a motion this invoice be tabled until the issues with the guard rails and sidewalk liability are settled. Mr. Tierney advised the Town is waiting for an estimate from Nancy Mayville of DOT for costs to repair in the event of any failure in the guard rail or sidewalk. Once those costs are determined a meeting with SEA and all parties will be set so that money can be put aside. Mr. Tierney stated he had tried to get a hold of Ms. Mayville this week but was unsuccessful. The motion to table the invoice was seconded by Mr. Bartley and the motion was passed.

Mr. Tierney asked Mr. Bartley if he would take the email correspondence regarding the Central Street Bridge from Winterset, SEA and CWS (guard rail contractor) and review them for information on the sidewalk issue and the guard rail issue. He asked Mr. Bartley to prepare a paper which outlines SEA's position, Winterset's position and CWS's position – to consolidate the information in a concise presentation which can be taken to a meeting with DOT to discuss these issues.

*Newfound School District*

A notice from Ned Gordon, Newfound School District moderator, was received which appointed Ken Kettenring as moderator for the New Hampton portion of the public hearings for the School District Meeting.

*Trustee of the Trust Funds*

Required correspondence each year from the Board of Trustees of the Trustees of the Trust Funds which reiterates the Capital Reserve Investment guidelines and the Investment Guidelines for the trustees. Included was the 2009 Trust fund report.

*Highway Complaint*

A resident on Donkin Hill Road phoned in a complaint that Donkin Hill required sand to deal with ice on the road. The matter was handled promptly by the Highway Department.

*Town Payments to the County*

Mr. Tierney noted recent newspaper coverage on the Town of Gilford which tried to put their third shift dispatch coverage onto the County and were advised the County did not have the resources to do this work. The question of payments made to the County by towns was brought to light.

*Public Health Network  
Conference for Emergency  
Preparedness.*

Feb 8<sup>th</sup> conference for the regionalization – emergency preparedness for the public health network.

Mrs. Lucas explained that regionalization has been in place for 10 years, with New Hampton being part of Bristol/Franklin All Health Hazards Region. New Hampton has been in this district, but is being told that Plymouth wants several towns in Grafton County (Hebron, Bristol, Bridgewater, New Hampton and others) to be part of their “Greater Plymouth” region. She also stated Laconia wants to take New Hampton as part of Belknap County. Mrs. Lucas noted that Chief Drake would be attending, but this is the opportunity for towns to comment about which emergency region they are placed in and how it serves or doesn’t serve their town’s needs.

*Reclassification of Project  
Louis and Ann Sayers  
Waukegan Road  
Tax Map U-11, Lot 2*

Wetlands seasonal dock application shows that their application does not meet rules for seasonal dock notification. The Wetlands Board advised that the application appears to be a minor impact project requiring a different application process. The explanation noted a boat slip with an existing boat house were present already. The owners were notified that no additional work shall be done until the new application was made and noted any additions should be dismantled pending approval of the new permit.

*Bruce Cote  
Boynton Road  
Current Use Penalty  
1 acre portion of  
Tax Map R-18 Lot 31*

The Board was advised of a current use penalty for a property on Boynton Road. The property owner will be charged \$300 resulting from a boundary line adjustment after purchase of a field which had been in current use.

*PSNH Notification  
Re: Central Street Bridge*

Paul Westin advised that Sue Blothenburg of PSNH advised him that PSNH approved the transfer of power lines to the utility poles at Central Street Bridge effective February 8<sup>th</sup>. The work should commence shortly thereafter.

*LRGH Healthcare*

Notification from LRGH Healthcare regarding commercial drivers advised that effective immediately drivers shall not “text” while operating commercial vehicles. It was noted that this rule will be in effect next year for all drivers, but is in effect immediately for commercial drivers. Mrs. Lucas will forward this notification to both Mr. Boucher and Chief Drake.

*Belknap County Economic  
Advisory Council*

The representative to the BCEAC has been Mr. Mertz and correspondence asked the Board if he would be continuing in this capacity. Mr. Tierney

moved Mr. Mertz continue as the Town's representative to the Council. Mr. Bartley seconded and the motion passed.

**NON PUBLIC SESSION:**

It was moved by Mr. Bartley, seconded by Mr. Tierney to go into Non-Public Session at 6:20 p.m. under RSA 91A:32 (e) regarding Consideration or Negotiation of Pending Claims and Litigation. The motion passed.

**PUBLIC SESSION  
RESUMED:**

At 6:29 Mr. Tierney made the motion to come out of Non-Public session, seconded by Mr. Bartley. Mr. Mertz made the motion that minutes were to be sealed until the resolution of litigation with DirecTV. Seconded by Mr. Bartley. The motion passed.

*Review of the PowerPoint  
Presentation for the  
Deliberative Session*

The Department Heads were given copies of the PowerPoint presentation for the Deliberative Session.

Mr. Tierney outlined the presentation and noted who would be presenting what portion of the presentations on the budget, revenues, tax rates and warrant articles. Discussion included suggestions for improvement and the presentation was refined.

Mr. Tierney asked that the Selectmen email notes to Mrs. Lucas. She advised she would be working over the weekend and would forward them to Selectman Tierney.

Copies of the presentation would be available for Department Heads to pick up tomorrow. Mr. Tierney stressed everything had to be in on Monday.

**OTHER BUSINESS**

Mrs. Lucas advised that twelve applications had been received in response to the posted position in the Highway Department thus far. The deadline was on January 29<sup>th</sup>. It was noted some of the applications were from New Hampton residents, and the Commercial Drivers License was a requirement for the position.

*Legislative Hearing Attended  
by Mrs. Lucas*

Mrs. Lucas advised she attended a legislative hearing for a bill co-sponsored by Representative Wendelboe and Senator Reynolds. The bill would require registration of anyone that was convicted of murder of a child in the same manner that sex offenders are registered. It also included restrictions of offenders living within a 25 mile radius of family members. There may be changes to the bill. Mrs. Lucas outlined some related law suits from the ACLU which have been successful.

It was noted that persons currently convicted of such crimes do not have parole options, but the bill is directed at persons convicted some time ago who are now or will be eligible for parole.

*Article on Legislative  
Immunity*

Mr. Mertz asked if the Town Moderator have legislative immunity. Mr. Mertz noted an article he read about another New Hampshire town discussed the issues surrounding the Town being taken to court because of claims that their moderator put a "chill" on a proposal made by the voters. The case

discussed the importance of legislative immunity at the local level because it could seriously impact citizens' willingness to volunteer for such positions.

Mrs. Lucas recalled a similar discussion she had read in another article some time ago which referred to the issue of malfeasance. Mr. Tierney noted that in New Hampton, the moderator begins the meeting with a discussion of the moderator's role and notes that any decision made by the moderator can be overridden by a majority of voters in attendance.

*Abatement request  
David Prutzanni  
714 Straits Road  
Tax MapR-6 Lot 7*

A request and appraisal by a private appraisal property submitted by the landowner indicated a lower value on the property by 20%. The materials submitted were reviewed by Selectmen. Mr. Tierney moved the information be sent to CNP for review. The motion was seconded by Mr. Bartley and the motion passed.

**PUBLIC COMMENT**

None was heard.

**ADJOURNMENT**

It was moved by Selectman Bartley to adjourn, seconded by Selectman Mertz. The vote passed and the meeting adjourned at 7:27 p.m.

Respectfully submitted,

Kristin J. Harmon

DRAFT