

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
April 7, 2003 7:00 PM**

PRESENT: Brian C. Warburton, Chairman, Virginia Bridle,
William Sullivan, James A. Workman, Cliff Pratt
James S. Barrington, Town Manager
Karen Anderson, Administrative Assistant

I. SALUTE TO THE FLAG

The Pledge was led by Mr. John Hangen

A Moment of Silence was observed in honor of the 40th anniversary of the loss of the USS Thresher. A lot of Hampton families were impacted by this tragic loss of 129 lives.

II. ANNOUNCEMENTS AND COMMUNITY CALENDAR

The Easter Egg Breakfast will be held on April 12th from 8AM –11AM at the Legion Hall and Village Preschool. This is open to all families at \$4.50 per person or \$14.00 per family.

Mr. Sullivan announced that on April 13th 1-4 PM there will be a rally at Seacoast Harley to support our troops. He encouraged residents to participate to show support for our troops. Mr. Barrington related that he understands the gazebo will be decorated with yellow ribbons and he is looking into putting bunting on the town office. Mr. Sullivan encouraged the public to always remember the service men that protect our country year-round, every year.

III. APPOINTMENTS

1. Mrs. Dawna Duhamel, Mr. Doug Mellin and Mr. John Hangen, Re: Sewer Infrastructure Projects

Mr. Hangen thanked the voters, the Board of Selectmen and the Capital Improvements Committee for supporting the public works projects and showing their belief that the investment in infrastructure is needed at the beach.

Mr. Hangen explained that a preliminary meeting has been held with the affected utilities and a management steering team has been set up so that the beach infrastructure project is coordinated with the State, Chamber of Commerce, and Beach Commissioners. The steering committee will determine if a design-build process is the most effective for this project. The drainage and sewer repairs for Hobbs Road will be put out to bid with an anticipated start date of June/July of 2003 with a completion date in October, 2003. The Kings Highway project is scheduled for RFP's to be due at the end of June, 2003 with the work to start in the spring of 2004 with the completion in the fall of 2004. The project for road improvement will be started in the Bride Hill Area with the bid process beginning in April- May of this year with the target completion date of November, 2003.

Mr. Pratt asked about the utility work and if Aquarian would be paying for the replacement of their lines. Mr. Hangen said that they would be. Mr. Sullivan asked how the gas company has been cooperating. Mr. Hangen said that they have been in touch with them and the utility is doing research on the conditions of their lines and will be determining what work they will need to take care of. Mr. Sullivan said that he has a letter from a resident on Mooring that he will forward to Mr. Hangen in this regard. Mr. Sullivan asked why the Kings Highway project is not going to be done this year. Mr. Hangen explained that there is a lot of work to be completed within two years and this project fits best in the schedule as proposed. Mr. Sullivan asked if Public Works has 2002 money encumbered for the Little River Road paving. Mr. Hangen said that he does. Mr. Workman noted that this is just the start of the infrastructure work that needs to be done and there will be more in years to come. Mr. Hangen confirmed this and said that he has been getting a lot of support from residents to continuously improve the infrastructure and have this as a new beginning for Hampton Beach.

Mr. Sullivan noted that the warrant article for the salt shed and truck wash-down facility failed and he asked how those needs would be handled. Mr. Hangen said that it will be difficult for the department to determine where the vehicles can be washed now. The EPA regulations don't allow the salt to be stored open to the elements and it will have to be covered with tarps at all times which will be very labor intensive. There will be checklist of regulations that the department will have to adhere to.

Mr. Warburton asked Mr. Hangen to provide periodic updates on the projects so that the public can be kept informed. Mr. Hangen said that one of the things that makes Public Works successful is good communication and they will continue to do that.

Mr. Warburton asked if the week of April 21st would continue to be leaf and limb pick-up. Mr. Hangen suggested that be delayed one week due to the snow and the Board agreed.

Mrs. Duhamel explained that the timing of the \$12 million bond is important so that the town gets the best possible rate, keeping in mind that there is a two-year window from when the bond is sold to finish the projects without incurring some arbitrage issues. Mrs. Duhamel said that even if the bond market rate looks good, but the utilities work is not done, it would not be appropriate for the town to go for the bond at that time. There is a possibility that the project could be split into two separate bond articles which could spread the projects out further. Mrs. Duhamel said that she will be asking the Board of Selectmen for direction on going out for a bond independently or through the Municipal Bond Bank. She said that if the town issues it themselves it will get a bond rating and provide better flexibility. Mrs. Duhamel said that the town is also looking into the establishment of a TIF District to assist with this. Mr. Sullivan said that he has faith in the Town Treasurer and Finance Director on the process to use.

2. Mr. Brad Jett & Mr. Jack Donaldson, Re: Cable Committee

Mr. Jett said that he wanted an opportunity to respond to Mr. Rice's comments from last week regarding the cable broadcasts. Mr. Jett said that his expertise and contribution to the cable committee consists of making sure that the cameras are working and that the signal is going out over the air. He admitted that 90% of videographers around the country have a good understanding of audio but are not technicians. Mr. Jett said that there are two engineers working with the committee tonight, looking at the audio and video to determine the problems with the system. Mr. Jett said that he has been in touch with Comcast this afternoon and continually gets different answers about the broadcast problems. Mr. Jett said that it would be helpful to the committee when a resident has a problem that they tape the meeting that shows the specific problem so that the technician can see the problem and try to correct it. Mr. Jett said that there are some issues that Mr. Rice brought up that were correct, but he added that the volunteers have not had the time to do it. Mr. Jett emphasized that there are not enough volunteers at this time.

Mr. Jett said that Mr. Rice noted that "the volunteers have not been trained to use the equipment"; Mr. Jett explained that is a difficult thing to respond to because the equipment has not changed in 8 years. His concern about camera sounds taking too long to catch up to the speaker is a fair criticism at times and Mr. Jett explained that when there is just one camera operator it is difficult to make changes to the character generator to show the name of a speaker and then quickly change cameras when someone else speaks. He said that it is the result of one man trying to do the job of three people. Mr. Jett added that the volunteers all work full time during the day and come in during the evening for a couple of hours and it is easy to get distracted. Mr. Jett said that the swearing in of elected officials has been a problem for many years, the microphone that had been hung in the back of the room has been moved closer to the podium and that should correct that problem. The microphones have also been changed so that they are more user friendly.

One issue that Mr. Rice brought up is the spelling errors that have occurred occasionally. Mr. Jett acknowledged that and said that a professional working alone could have the same problem. When the meeting room was first set up the cable committee suggested installing a platform for the tables so that the wires could be under the platform and that is still the recommendation so that fifteen microphones can be wired in permanently. Mr. Jett pointed out some problems that are occurring with the positioning and use of the microphones to Board members.

Mr. Donaldson said that the committee has attempted to fix many of the problems; one of the things they have not had control with is the décor of the room. He added that this is a meeting room and not a television studio and the cable committee has not had control over that. Mr. Donaldson said that even if there were a full-time person in charge of the broadcasts, it would not be much different than it is currently.

Mr. Warburton complimented the committee and said that a lot of the audio issues are a result of how people use the microphones. Mr. Warburton said that the people at home want to watch the meetings and the people using the microphones have a responsibility to do so correctly.

Mr. Pratt said that the biggest complaint he got while he was campaigning was in regard to the audio quality for this channel. He said that he does not understand why the microphones can't be on at all times. Mr. Jett said that they are on and are voice activated. Mr. Pratt said that he would like to get the audio fixed and is in favor of using some of the money in the special revenue fund to do so. Mr. Pratt asked if Comcast is responsible for some of the problems. Mr. Jett said that the two engineers that are working with them right now will fix the problem. Mr. Pratt asked if the town can pressure Comcast for assistance. Mr. Jett said that it seems the town gets the best cooperation from Comcast when the contract is due to be negotiated. Mr. Donaldson said that there have been a few Comcast technicians that have been helpful and they did go around town with him a short time ago and found a couple of places where the I-Net had been damaged. Mr. Jett said that it would have been more appropriate to have Mr. Rice's concerns addressed to the committee, rather than during a selectmen's meeting.

Mrs. Bridle apologized for the treatment the Cable Committee got from Mr. Rice. She said that she feels it was rotten and they did not deserve the criticism. Mrs. Bridle said that these ten volunteers do more than most other volunteers in town. She added that the Board of Selectmen was remiss by allowing Mr. Rice to come forward to the Board without going to the Cable Committee first. Channel 22 is a privilege and she appreciates the work that the committee does. Mrs. Bridle said that she hopes that the committee members will reconsider the resignation letters that have been submitted.

Mr. Sullivan echoed what Mrs. Bridle said and subsequent to the meeting he was sorry that the Board members did not stick up for the Cable Committee. He did not want to make excuses, but explained that he was distracted and really didn't pay attention to what Mr. Rice was saying. He hopes that Mr. Donaldson and Mr. McKinnon will reconsider their resignation and he appreciates the job that they do. Mr. Workman thanked the volunteers and said that he really appreciated the work that they do. He acknowledged that they are all amateurs, on both sides of the camera and he will do his part by wearing the microphone correctly.

Mr. Warburton said that he did not get the impression from last week's meeting that Mr. Rice was talking out of order and he thought he was clear in his appreciation of the committee. He did not think the members who quit noted that they did so as a result of Mr. Rice's comments. Mr. Warburton said that he has been a proponent of the work that the committee does. Mr. Warburton gave credit to Mr. Rice for bringing concerns to the public. He said that the committee does a great job and the Board of Selectmen will continue to try and adjust as best they can to maintain the very best quality that we can. Mr. Warburton said that the committee absolutely needs more volunteers to do the meetings, this is one of the most important committees in town and he thanked Mr. Jett and Mr. Donaldson for the efforts they put forth for the town.

IV. OLD BUSINESS

Town Manager's Report

Financial Reports

Mr. Barrington told the Board that the March financial reports have been generated and distributed to the Board. The balance in the Cable Committee special revenue fund was \$67,385.42 as of March 31st.

Impact Fee Study

Mr. Barrington told the Board that he and Mrs. Duhamel met with Mr. Dan Gray of the Seacoast Business Alliance to discuss assistance he might be able to provide with funding and research for setting up a TIF district. Mr. Gray said that there is a possibility of a Rural Development Grant that would help fund the staff work needed. A letter of support will be needed from the town to support the grant application and Mr. Barrington will prepare that.

Police Station

Mr. Barrington informed the Board that he met with Jeff McElravy of Kaestle-Boos last week. The wetlands permit application for the police facility has been prepared and will be sent out this week. Mr. McElravy believes with a pre-qualification of bidder process, and if there are no unexpected surprises with the DES permit process, they are on track for a late June groundbreaking.

Rescue Boat Dock

Mr. Barrington told the Board that he participated in a conference call last week with Mr. Dave Barrett and Mr. Don Bliss about the proposed dock and the multi agency use that the State has expressed interest in. Mr. Barrett and Mr. Bliss will be taking a proposal to Commissioner Flynn and will be looking into a homeland security grant that may be applicable.

Winnacunnet Road – Beautification Request

Mr. Gray, owner of the funeral home on Winnacunnet Road has requested permission to remove a section of asphalt from in front of his building and replace it with a grass area that he has agreed to maintain. Mr. Barrington said that research is being done to see if the asphalt area was a requirement of the Planning Board at any time. Mr. Warburton pointed out that the Planning Board's vote was 7-0 in support of the funeral home and if everyone in the community kept up their property as well as Mr. Gray does, the town would benefit. Mr. Barrington said that in listening to Mr. Gray and what he proposes to do it would be very beautiful. Mr. Barrington pointed out that there are grassy areas in front of homes all over town that encroach into the right of way. Mr. Sullivan said that it would be a good project to allow. Mr. Workman said that he envisioned the "Adopt-a Spot" programs for areas that currently existed around town and he has an issue with creating a spot to maintain. Mr. Barrington said that he was using the "Adopt-a-Spot" as terminology, but Mr. Gray has requested to beautify and maintain the location in front of his property. Mr. Pratt said that he was in favor of it, and said that if there were any Planning Board restrictions they were probably related to Friendly's. Mr. Sullivan asked if this could turn into the situation like the town had in Plaice Cove with bushes on town property. Mr. Barrington said that was bushes and shrubs that were not adjacent to a public street, Mr. Gray does not intend to plant anything but grass. Mr. Sullivan said that the grass that has been added to Lafayette Road looks very nice. Mrs. Bridle said that everyone has to be treated the same, and Mr. Gray has a beautiful place but the Board can't choose who can rip up asphalt and who can't; the Board has to be very careful to treat everyone the same and not set a precedent.

Town Banking Services

Mr. Barrington told the Board that Mr. Lessard, as Chairman of Trustees of Trust Funds arranged a meeting for him with Bank North regarding a variety of banking services they offer. Bank North made it clear that they don't do large scale commercial loans but that they are interested in doing other banking services for the town. The Town Treasurer, Ellen Lavin and Finance Director, Dawna Duhamel are considering doing an RFP for banking services to insure that we are getting the best deal for the residents.

Merton Group

Mr. Barrington informed the Board that he met with representatives from the Merton Group last week. They are interested in doing a feasibility study for the town in regards to providing fiber optic services to the residents. Mr. Barrington said that it does appear that the town could potentially generate a new revenue stream for the town. The Merton Group is willing to do the initial study at no cost to the town and they will explain what they found and it would then be the town's decision to go further. They are available to meet with the Board if so desired. Mr. Pratt said that he would like to meet with them. Mr. Barrington will schedule an appointment for them in May.

Mr. Barrington said that the feasibility studies are being done in a number of towns around the State and the program has already been successfully implemented in a number of other states. Mr. Sullivan said that in essence that they would be installing an additional cable system. Mr. Workman said that there is a glut of dark fiber optics throughout the country, and if the town does go down this road it must be done with the eyes open.

Yard Sales

Mr. Barrington reported that research on yard sale permits issued for Memorial Day weekend's indicated that 31 permits were issued in 2001 and 36 permits were issued in 2002.

Parking Lot Ordinance

Mr. Barrington reported that after consultation with Attorney Gearreald, it would be a complex issue to add private roads to the snow emergency ordinance. Snow Emergency procedures for private roads could be handled as a separate ordinance. Mrs. Anderson relayed a suggestion from resident that the parking ban ending date be changed to April 15th.

Yard Sales – Memorial Day

Mr. Warburton reminded the Board that they had received a letter from a resident, David Hamilton requesting that there not be any yard sales in Hampton on Memorial Day weekend. Mr. Pratt said that the yard sales can be bothersome, and asked if there is a way to limit the number of permits issued on that weekend. Mr. Barrington said that the number of permits could not be limited without changing the ordinance. Mr. Workman noted that people would just have yard sales without getting a permit. Mr. Pratt asked if anyone has been cited for having a yard sale without a permit. Mr. Barrington said that the ordinance has been used to control the habitual offenders, to prevent people from having yard sales every weekend. Mr. Sullivan said that on Memorial Day weekend some people will visit the cemetery, others will paint their house and others will go to yard sales. Mr. Workman agreed and said that they are a tradition and while they can be bothersome, they are part of New England. Mr. Barrington will send a letter to Mr. Hamilton noting that the Board of Selectmen reviewed his request and decided not to make changes to the yard sale regulations.

V. MINUTES

The minutes of March 31, 2003 were reviewed with no changes made.

VI. CONSENT AGENDA

1. Parade Permit – Knights of Columbus

Mr. Sullivan MOTIONED that the Board of Selectmen approve the consent agenda.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

VII. PUBLIC COMMENT

Mr. Fred Rice, 15 Heather Lane said that Mrs. Bridle was the only Selectman he had not spoken to prior to the meeting last week, and explained that his purpose was to raise the level of the consciousness of the Board that the quality of channel 22 can be improved and not to criticize the volunteers that do the work. Mr. Rice told Mrs. Bridle that there was no need for someone to apologize for him. Mrs. Bridle said that she would agree to disagree.

Mr. John Nickerson told the Board that he has been the longest member of the Cable Committee and will not resign. He said that Brad Jett has given more to this committee than anyone ever has and should be appreciated. Mr. Nickerson stated that the vision that the Selectmen who signed the first cable contract had has been surpassed by far. They have been working on the audio problem for several days this past week

and he wants the Board to know that all of the members have done a lot and he hopes that they reconsider their resignations.

VIII. ADJOURNMENT

Mr. Sullivan MOTIONED that the meeting be adjourned. (9:03 PM)

Mr. Pratt SECONDED **VOTE: UNANIMOUS FOR**

Chairman