

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S CONFERENCE ROOM  
September 22, 2003 7:00 PM**

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

**PUBLIC HEARING**

The Board of Selectmen held a public hearing to take comments on the acceptance of the marshland located at Map 127, Lot 001 as required under RSA 41:14. This is the first of two required hearings, with the next hearing scheduled for October 6, 2003.

There were no public comments and the hearing was closed at 7:05 PM.

**I. SALUTE TO THE FLAG**

Captain James Sullivan led the audience in the salute to the flag.

**II. ANNOUNCEMENTS**

Concert

The Yankee Clippers, a Barbershop Quartet featuring Hampton's David Schwab, will be performing at WHS on Saturday, September 27<sup>th</sup>.

Lafayette Road Improvements

On Wednesday, September 24<sup>th</sup> at 7:00 PM at the Hampton Falls Town Office, the Rockingham Planning Commission will be holding a meeting regarding proposed improvements to Lafayette Road. Mr. Sullivan said that Mr. Bambury brought this to his attention because there are two key areas that could effect Hampton traffic.

Hampton Youth Association

Mr. Warburton announced that HYA Basketball sign-ups will be held at WHS on September 25<sup>th</sup> from 6-8 PM, September 27<sup>th</sup> from 9-11 AM and September 30<sup>th</sup> from 6-8 PM.

Future Land Use Questionnaire

Mr. Warburton pointed out that a questionnaire has been sent home with the school children today "Hampton's Future - What do you see?". He encouraged residents to fill out and return the questionnaire to the town or library in order to assist the Planning Board with the updating of the Future Land Use chapter of the town's Master Plan.

Hampton Rotary

Mr. Barrington told the Board that the Hampton Rotary had a special meeting last week to recognize two charter members. The Club recently celebrated it's 35<sup>th</sup> anniversary and Mr. "Doc" Noel and Mr. Harold Eames were recognized as charter members with 35 years of service each to the Hampton Rotary Club.

**III. APPOINTMENTS**

**1. Jennifer Kimball, Master Plan Update**

Mrs. Kimball told the Board that she wanted to update them on the Future Land Use chapter that the Planning Board is working on for the Master Plan. She said that it is the most important chapter in a master plan and is the basis of all other chapters. Mrs. Kimball said that the Planning Board is looking for input from the residents, visitors and the businesses of the town. Two meetings will be held at the Inn of

Hampton, which is donating the space and refreshments for the two meetings. The Planning Board wants to hear about the positive and negative aspects about the different areas of town, and what residents and business people feel would make a more inviting business district. The questionnaire that has been prepared is available at the town office, library, local businesses, and has been sent home with the school children. The information that is collected from the questionnaire will be tabulated and inserted into the draft of the Future Land Use chapter of the Master Plan.

#### Planning Board Budget

**Mr. Workman MOTIONED** that the Board of Selectmen recommend \$43,104 for the Planning Board budget.

**Mrs. Bridle SECONDED**

Mrs. Bridle asked if the secretary wage is just for the Planning Board. Mrs. Kimball said that she does share the Planning Board's secretary and some additional hours have been budgeted for 2004 for assistance to the Planning Office.

**VOTE: UNANIMOUS FOR**

#### Office of Planning

**Mr. Workman MOTIONED** that the Board of Selectmen recommend \$55,164 for the Office of Planning budget.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

Mrs. Bridle asked if the wage shown is a 9% increase. Mr. Barrington said that the 9% reflects two years' increase because the 2003 wage increases were not shown in the budget line items because the union contracts were being negotiated.

#### Zoning Board

**Mr. Sullivan MOTIONED** that the Board of Selectmen recommend \$9,520 for the Zoning Board of Adjustment budget.

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

Mr. Barrington said that the ZBA chairman had requested additional hours for their secretarial expenses. The funding for legal services has remained in this budget to account for the possible need to hire outside legal counsel.

#### Total Planning and Zoning

**Mr. Workman MOTIONED** that the Board of Selectmen recommend \$107,785 for Total Planning and Zoning.

**Mr. Sullivan SECONDED**

#### 2. Rizzo Group, Beach Traffic Study Report

Mr. Dominic Ciavaro of Rizzo Associates thanked the Board for the opportunity to present the Hampton Beach Traffic Circulation study. He explained that the key questions that were considered included: Who is traveling through the beach? What the impact of pedestrians is on traffic congestion? What are the benefits/impacts of creating two-way traffic on Ashworth Avenue?

Mr. Ciavaro told the Board that a substantial amount of data was collected utilizing traffic counts, license plate surveys and a questionnaire and the data collected was consistent between each method. The major change that was looked at was the conversion of Ashworth Avenue to a 2-way road and the preliminary findings are that Ashworth Avenue can be changed to a two-way road. He said that would require a three lane road with alternatives available for both intersections, some right-of-way acquisitions and pedestrian crossings at controlled locations.

Mr. Ciavarro showed a computer generated plan of the proposed improvements to the Board and explained that more detail will be provided on October 2<sup>nd</sup> at a public meeting when the study is presented. Mr. Warburton noted that Ashworth Avenue can be two-way, and said that is demonstrated during the Seafood Festival each year. Mr. Sullivan asked if Rizzo Associates talked with the public safety departments of the town and if so, how did they feel about two-way on Ashworth Avenue. Mr. Ciavarro said that he discussed this with the police, fire and State officials and they all believe that Ashworth Avenue could be two-way as long as the third lane is provided. Mrs. Bridle asked where the third lane would come from. Mr. Ciavarro said that there is adequate space in some areas, but there would need to be some land acquisitions.

#### **IV. OLD BUSINESS**

##### 1. Town Manager's Report

###### Police Facility

Mr. Barrington told the Board that there have been several meetings regarding the police facility construction and the Board will be kept informed of the progress.

###### Exeter Road Bridge

The Town Manager reported that he had received a memo from the Department of Transportation today in regard to the replacement of the Exeter Road bridge. The property assessments have been forwarded to Mr. Barry. Mr. Barrington told the Board that it appears that the railroad has some concerns with an at-grade crossing and the federal funding could be jeopardized as a result. Mr. Sullivan noted that the letter from the State indicates "there are a couple of relatively short trains a day" but Mr. Sullivan pointed out that there are one or two short trains a week.

###### Gazebo

Mr. Barrington noted that Attorney Gearreald has provided the Board with a memo about the gazebo transfer. It is his opinion that the gazebo is real estate and should be accepted through the RSA 41:14 (a) process with a deed from the Chamber. A deed has been drafted and if the Board is in agreement the required public hearings can be scheduled. The Board agreed to follow that process and scheduled the hearings for October 6<sup>th</sup> and October 20<sup>th</sup> with the vote scheduled for November 3<sup>rd</sup>.

Mr. Hangen has provided a draft plan of the sidewalk construction within Marelli Square and will be pricing it out in the next week or so.

###### 251 Mill Road

Mr. Sullivan asked how much more time will be spent on 251 Mill Road. Mr. Barrington said that he intends to meet with Mr. Hangen at the site within the next two weeks, if possible. Mr. Warburton said that he has received several phone calls from the resident and she is anxious to resolve this issue.

###### Broadband Study

Mr. Workman asked about the status of the Merton Group broadband study. Mr. Barrington said that the Merton Group has been doing a lot of work in the background, and as directed they have had very little contact with him. There will be a meeting in Concord next week to review the findings the group has had throughout many New Hampshire towns and the Town Manager will report back to the Board after that.

###### Drakeside Road

Mr. Workman asked what the status of the Drakeside Road reconstruction was. Mr. Barrington said that it is his understanding that the work in the road is completed and now the full width of the road is being reclaimed. A base coat is scheduled to be down on the full width, with a final coat going on at a later date. The Board members noted that they have been hearing concerns from residents about this. Mr. Barrington will follow up on that project and report to the Board.

Public Works Standard Operating Procedures

Mrs. Bridle said that she appreciated receiving the Standard Operating Procedures as requested from Public Works. She asked that Mr. Barrington review what was presented for the Wastewater Treatment Plant and report back to the Board with his opinion of them.

Engineering Proposals

Mr. Barrington said that the Town received fifteen responses to RFP for the four significant engineering proposals. Six firms have been scheduled for interviews on October 1<sup>st</sup> and the list will be provided to the board. Mr. Barrington told the Board that he was pleased with the quality of the proposals that were provided.

Cell Tower

Mr. Workman asked to have as an agenda item next week a discussion regarding a cell tower at the Transfer Station.

**III. NEW BUSINESS**1. CMAQ/ETA Letter of Support – Bicycle Path

Mr. Warburton read a proposed letter of support from the Board of Selectmen for a bicycle path along Exeter Road through the CMAQ/ETA funding. The Board indicated their support for inclusion of the project in the Capital Improvement Plan, with funding requested for 2008.

**Mrs. Bridle MOTIONED** that the Board of Selectmen send a letter of support to the Rockingham Planning Commission in regard to CMAQ funding for the bicycle path project in Hampton.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

2. Consider Acquisition of 15-Passenger vehicle for Town.

Mr. Barrington told the Board that there has been discussion for some time regarding the acquisition of a multi-passenger vehicle for the town, with a particular benefit for the Recreation Department. He explained that a fifteen passenger vehicle is the largest that can be driven without a commercial driver's license. Recently the Recreation Department arranged for a viewing at the town office of the type of vehicle they are interested in. With the Town's fleet discount, the vehicle can be purchased for \$49,150. Mr. Barrington said that there is sufficient authority and funds currently in the Special Revenue Fund for this purchase. Mr. Barrington said that the Recreation Department has done some shopping, but has not specifically put this vehicle out to bid. If the Board is in favor of this purchase, the formal bidding procedures would need to be waived.

Mrs. Bridle thinks the purchase of the van is a good idea and believes that there are numerous uses for such a vehicle. She added that she does not think waiving the bid process is right. Mrs. Bridle said that a purchase such as this from the SRF is good for the residents to be able to see the benefits of the program fees. Mr. Barrington said that there are a number of programs with a small number of participants that require transportation and First Student is used. This vehicle would be used rather than contracting a bus. Mr. Workman said that he was initially not in favor of the purchase, but felt it was palatable to do so from the SRF, but due to the substantial cost he would like to see the bid process adhered to. Mr. Sullivan asked if this would require additional staff at the Recreation Department. Mr. Barrington said that he would not anticipate needing additional staff, although it is possible the town may have to pay a driver from time to time. Mr. Sullivan asked if the vehicle that was at the town office was a demonstration model. Mr. Barrington said that it was, but that he did not have a problem putting it out to bid.

Mr. Warburton asked if the vehicle can and would be used by other town departments. Mr. Barrington said that it could be and explained that if a department had a group going to an event it would be appropriate to use this vehicle. He gave the examples a group of firefighters attending a funeral, or a group going to

Concord for a meeting, Mr. Warburton said that he would hope that it would go out to bid and recommended that Mrs. Martin request Captain Crofts' assistance in securing the best price.

**Mr. Sullivan MOTIONED** that the Town go forward with the purchase of a 15 passenger vehicle, utilizing the town's purchasing procedures.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

#### Beach One-Way Streets

Mr. Sullivan asked about the reversal of the one-way streets at the beach. Mr. Barrington will remind Public Works to adjust the signs.

#### **IV. MINUTES**

The minutes of September 15, 2003 were reviewed and approved as written.

#### Budget Process

Mr. Sullivan said that he has noted some confusion among the general public about the budget review process and wanted to explain that at this time the Board of Selectmen is reviewing data that has been submitted to the Town Manager. The Selectmen will add their input and pass it on to the Budget Committee, who will then develop the budget. Mr. Barrington noted that the process began in June with the Department Heads. Mrs. Bridle said the Budget Committee has requested a debt schedule similar to what had been provided in the past years.

#### **V. CONSENT AGENDA**

1. Lien Discharge
2. Leased Land Sales Agreement – 13 F Street

**Mr. Workman MOTIONED** that the Board of Selectmen approve the consent agenda.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

#### **PUBLIC COMMENT**

Mr. Vic Lessard spoke about the Drakeside Road construction and pointed out that at no time has a school bus tried to deliver children and not been able to do so, which is not true for a project on the other side of town. He said that there have only been two days that people have not been able to get through. Mr. Lessard said that the project has run into delays that have been caused by the water company and the gas company, however the road was ground today and after it sets for about a week it will be paved. He reminded the Board that he said the road would be completed by October 1<sup>st</sup>.

Mr. Lessard told the Board that approximately six weeks ago Mr. Sullivan asked the Town Manager for a report about the drainage on Exeter Road and he has not received it. Mr. Lessard said that drainage work needs to be done to eliminate the flooding that is happening on his property. Mr. Lessard pointed out that last week both sides of that property were flooded and he can not build the next building until the drainage is resolved. Mr. Barrington said that he has talked to the engineers for the bridge about the drainage. The article for a specific engineering study for that drainage was on the warrant last year but it did not pass. Mr. Lessard said that there were four nice weeks of weather and with just one bad day of rain, the 34" pipe was flooded out in two hours. He said his family has been patient and he thinks the town knows that they are in the wrong in this. Mr. Lessard requested a response within thirty days. Mrs. Bridle said that it all started with the Route 1 project when the design was not correct and the State did not go down and look at the situation. Mr. Lessard said he does not want to fight; he just wants the drainage fixed. Mr. Barrington said that he has said publicly that he believes the town needs to spend some money to correct the problems there. Mrs. Bridle said that she recalled meeting on this with Mrs. Searle and they raised concerns about potential drainage problems during the Route 1 work but Mr. Hangen told them not to worry about it.

Budget ReviewPolice

Mrs. Bridle said that because the police department budget is only .7% increase, she would move the entire police budget of \$3,803,425.00. She noted that they are the only department that has brought in \$94,000 in grant funds as well. Chief Wrenn thanked the Board and said that each of the Captains have prepared presentations for the Board in regard to requested positions.

**Mrs. Bridle MOTIONED** that the Board recommend \$3,803,425 for the police budget.

**Mr. Sullivan SECONDED**

Mr. Warburton asked about the two detective positions that are requested but have not been recommended by the Town Manager. Captain Crofts said that two detectives have been requested for drug investigations and homeland security. He explained that drug investigations can be very time consuming and the detectives are often pulled away from drug investigations for other crimes. Captain Crofts added that drug investigators have to be highly skilled and there needs to be a constant avenue for citizens to refer leads to. Captain Crofts emphasized that the drugs are in Hampton and the Department needs to have the ability to investigate reports and take care of the paperwork. The positions will create a liaison for homeland security as well and will work closely with the State and Federal Agencies.

Mr. Workman asked about the homeland security detective position, and if Chief Wrenn felt a full-time position was needed. Captain Crofts said that the two detectives would be available for the homeland security work as well as the drug enforcement. Chief Wrenn said that it would not be a full time person but there would be a designated point person.

Mr. Sullivan said that the overall budget had a goal of level funding and if the Board of Selectmen strays from that people will have concerns. Mr. Sullivan asked when the last time staffing was increased for the police department. Chief Wrenn said in 1996 the SRO's were added, although patrolman has been assigned to various departments. Chief Wrenn explained that at a minimum there are three cars on the road, plus a supervisor and many times four cars on the road. Mr. Sullivan asked when the new station is built will it reduce the number of trips needed to Brentwood. Chief Wrenn said that it will reduce the number of trips but not eliminate them, explaining that some prisoners will be able to be kept overnight. Chief Wrenn said that his initial proposal for the detectives was for them to begin at the end of 2004, because there is not enough space until the new facility is ready. The patrolman were proposed to start in April. Mrs. Bridle said that she would prefer to wait until 2005 for those positions. Chief Wrenn said that if that is the wish of the Board they will do that.

The Board discussed starting the detectives December 1, 2004 so that there would be minimal impact to the budget.

**Mrs. Bridle MOTIONED** that the Board increase the recommended police budget by the appropriate amount for the inclusion of two detectives, effective December 1, 2004.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

Captain Sullivan told the Board that the two patrol positions that they are requesting would increase the shifts to five and six officers. Currently the shifts are manned with four and five. Captain Sullivan explained that there have been increased staffing goals that have not been presented over the past few years due to the importance of the acquisition of the new facility. The calls for service have increased 25% and there has been a greater emphasis on traffic enforcement and having an officer in the center. The additional officers would help the department respond to the needs of the citizens faster.

Mr. Workman said that he likes the thought of increasing the number of officers on staff. Mr. Sullivan said that he had a relative move to Hampton that needed the police department and they informed him that they

were impressed with the quick professional response they got from the police department. Mr. Sullivan said that he would be in favor of the proposal.

**Mr. Workman MOTIONED** that the Board of Selectmen recommend the addition of the appropriate amount to fund two additional patrol positions to start April 2, 2004.

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

#### Animal Control

**Mr. Workman MOTIONED** that the Animal Control budget be recommended at \$77,149.00.

**Mrs. Bridle SECONDED**

Mr. Barrington noted that he reduced the NHSPCA funding to \$1.00, largely based on the observation that the Town gets little to no service from them anymore. Chief Wrenn pointed out that there is a new truck in the budget for the ACO; the current truck has 80,000 miles on it. The new vehicle will have a plow rig on it to be able to take care of the parking lot of the police facility. The old vehicle will be shifted to the Building Department if a proposed additional position is approved.

#### Mosquito Control

Mr. Skumin told the Board that the budget for 2005 was based on proposals from the current contractor as well as another contractor. After reviewing the proposals, Dragon Mosquito Control has been contracted. The procedures used will be the same, but with more emphasis on the larviciding and utilization of a larger staff. The contract also includes 50 new greenhead traps.

Mr. Mackinnon told the Board that there have been so many crows dying of West Nile Virus that the State is not testing the birds anymore. He emphasized that mosquito control in the Spring will be imperative to control the virus.

Mr. Warburton said that mosquitoes were so bad this year that you could not be outside during the day. Mr. Skumin said that the salt marsh mosquitoes, which are predominant in Hampton, are aggressive and do bite during the day.

**Mr. Sullivan MOTIONED** that the Mosquito Control budget be recommended at \$103,970.

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

#### Financial Administration

**Mrs. Bridle MOTIONED** that the Board of Selectmen approve \$343,174 for Financial Administration.

**Mr. Sullivan SECONDED**

**VOTE: UNANIMOUS FOR**

Mrs. Bridle asked if one of the employees received a substantial raise. Mr. Barrington said that Mrs. Duhamel did. Mrs. Duhamel pointed out that the percentage shown in this budget reflects step increases in the department this year. Mr. Warburton asked if there were 3% COLA and 2% merit increases given to the non-union employees. Mr. Barrington said that the increase percentages were not the same for all employees and adjustments were made consistent with what was done for the union employees.

#### Audit

**Mr. Sullivan MOTIONED** that the Board of Selectmen approve \$24,000 for the audit.

**Mr. Workman SECONDED**

**VOTE: UNANIMOUS FOR**

#### Human Resources

Mrs. Bridle said that this is a new position and a new department and while she realizes it is an important department, this is a year that the Board of Selectmen agreed to hold down costs. She said that four new positions were added in the police department already and she thinks this needs to be held off until 2005. Mr. Workman and Mr. Sullivan agreed with that. Mr. Warburton said that he understands that the

Administrative Assistant to the Town Manager would be doing the HR function and would report to Mrs. Duhamel. Mr. Warburton asked if the Board would want to hire another person as an Administrative Assistant and move the current person into a new position.

Mr. Barrington said that he requested this position last year as part of a proposal for four new positions, two of which were approved and two were recommended for this year. Mr. Barrington pointed out that the organization has grown to a point that the nature of personnel management has expanded to the extent that the town is in need of a full-time human resource office. The multitude of State and Federal regulations that have to be dealt with and the exposure the town is placed under every time they hire, discipline or terminate is large. Mr. Barrington said that sooner or later the town will see savings money from having an HR office versus having to defend challenges to what may happen within the town process. He said that there is no way to measure suits not filed. Mr. Barrington said that efforts are being made to standardize all of the personnel functions that have in the past been scattered among the departments. In the process, situations and practices have been unearthed that he was unaware of that should have been corrected. Mr. Barrington said that he understands that this is a budget year in which the Board is looking to maintain a "no impact" budget but this is one of the positions that he had as a priority when developing the budget.

Mr. Sullivan agreed with what the Town Manager has said, although he believes that the Police and Fire Departments have very good hiring practices. Mr. Sullivan said that he would like to see what this year will bring as far as the education tax and the impact the revaluations will have on the tax rate for next year. Mr. Sullivan stated he was in favor of the four new positions for the Police Department because he brought them up a couple of years ago. He knows that every good business has an HR director and a personnel office, but he cannot support it this year.

Mrs. Bridle MOTIONED to remove \$44,474 for human resources.

Mr. Workman SECONDED

**VOTE: 3 FOR**

**1 OPPOSED (Warburton)**

#### Legal

Mr. Barrington said that there are two significant changes from 2003. The legal assistant has been increased to full time and the expense for tax liens and instruments has been removed from this budget and put in the tax collection budget since all of those expenses are incurred by that department.

**Mr. Sullivan MOTIONED** that the Board of Selectmen recommend \$136,201 for the legal budget.

**Mr. Workman SECONDED**

Mrs. Bridle said she is not in favor of increasing the legal assistant to full time. She said she has concerns with the wage increases in the budget. Mr. Workman said that he understands Mrs. Bridle's point. Mr. Workman asked Attorney Gearreald to explain the need to upgrade the position. Attorney Gearreald said that he was pleased to have been able to hire someone that has a paralegal degree and experience as a legal secretary. He said that his position has proven to be very popular and he averages 43 hours per week, with his assistant averaging 23 hours per week. When the assistant is not there, he must answer his own phone and deal with interruptions. Attorney Gearreald explained that he is able to think things through with his assistant and she is becoming more adept at legal research. The Zoning Board of Adjustment appeals have been coming more frequently, and with the complexity of the projects the Zoning Board is facing, challenges are likely.

Mr. Sullivan said that he understands that he should not have to answer the phone, but it is up to the Board to decide what should or should not go forward this year, and he is in favor of the legal assistant being full time. Mr. Workman asked on a scale of 1-10 how fatal it would be to his department to have this position put off for another year. Attorney Gearreald said that the likely hood of this person looking for employment elsewhere, if the position is not made full-time increases dramatically and it would be difficult to find someone else with her qualifications. Mr. Barrington said that everyone knows how much he relies on Mrs. Anderson and he believes Attorney Gearreald relies on this person as much.

Mr. Sullivan said that there is credence is trying to keep a person that has worked out well in a position. The Board decided to delay a decision on this account until Mr. Pratt is present, as it was clear that the Board is split on this matter.

**ADJOURNMENT**

**Mr. Workman MOTIONED** that the meeting be adjourned. (9:30 PM)

**Mrs. Bridle SECONDED**

**VOTE: UNANIMOUS FOR**

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Chairman