

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
October 27, 2003 7:30 PM**

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

PUBLIC HEARINGS:

1. The Board of Selectmen held a public hearing to take comments from the public in regard to the Town accepting of the deed to the Gazebo, located in Luigi Marelli Park. This is the first of two hearings required under RSA 41:14-a. There were no comments from the public and the hearing was closed.

I. SALUTE TO THE FLAG

Town Manager, James Barrington led the audience in the salute to the flag.

II. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Trick or Treating will be on Friday evening, October 31st from 5:30 – 8:00 PM. Mrs. Bridle thanked all the residents will have added to the festive atmosphere by decorating their houses for Halloween this year..

Fire Prevention

Mr. Sullivan noted that Fire Inspector Jon True and Fire Prevention Officer Scott McDonald are available to teach groups of residents and students about fire prevention. Mr. Sullivan said that while October is Fire Prevention month, this is something that should be considered all year long and he encouraged groups to request training programs. Mr. Workman said that his daughter participated in the program last week at school and it is a wonderful program.

Presidential Primary

Friday, October 31st is the last day to change party affiliations prior to the Presidential Primary.

III. TOWN MANAGER CONTRACT EXTENSION

Mr. Warburton said that it was gratifying to see so many of the Department Heads present to applaud Mr. Barrington on the renewal of his employment contract. Mr. Warburton pointed out that Mr. Barrington began work for Hampton on November 12, 1996 and the Board worked diligently to put together one of the finest contracts in the area for the Town Manager. Mr. Warburton announced that the Board is proud to present a five-year contract renewal for the Town Manager, extending to November 12, 2008. The contract includes annual 3% wage increases with the option of an additional 2% for merit increases as determined by the Board of Selectmen. Mr. Warburton stated that Mr. Barrington has accomplished a great deal with a great team and is a consensus builder. He added that when you manage a town it takes a leader with vision and the planning tools to manage that potential and Mr. Barrington has demonstrated that ability and has done what is needed to keep Hampton as a "gem of the Seacoast".

Mr. Pratt stated that he is new as a Selectmen, but sees that Mr. Barrington has surrounded himself with a good group of people that work well together. Mrs. Bridle said that it does not seem that long ago when she was sitting in Portsmouth holding interviews and first met Mr. Barrington. She said that Mr. Barrington has led the way for the Board and he has been willing to listen to both sides and reach agreements. Mrs. Bridle said that the next five years will be an exciting time for Hampton. Mr. Sullivan said he has worked with thirteen different town managers and Mr. Barrington is the best he has worked with. Mr. Workman said that this extension is a "win-win" situation for the town; Mr. Barrington is a wealth of knowledge for the town and his disarming wit and personable manner is something Hampton should strive to keep.

Mr. Warburton said that Attorney Gearreald was asked to participate in the contract renewal process but he felt uncomfortable in handling it, so the Board hired the services of Attorney Alec McEachern from Shaines & McEachern to accomplish it. Mr. Warburton commended Mr. Barrington and said that he has put in place a excellent staff and has helped the Board members become better town officials. He added that Mr. Barrington always has the bigger picture in mind.

Mr. Barrington pointed out that he was not expecting the Department Heads to be present at this meeting and is very appreciative of the support of the management team and that of all of the employees that serve the Town. He added that it doesn't seem like seven years ago that he signed the first contract here, and while his daughters had said that they would never live north of the Mason-Dixon line, they have now settled here and are raising his grandchildren here. Mr. Barrington thanked the Planning Board Chairman, Mr. Tom Gillick and Budget Committee Chairman, Sandy Buck for their assistance. Mr. Barrington thanked the Board, noting that they all make the work worthwhile and while they don't always agree, they always show each other respect. Mr. Barrington said that the people of the community are wonderful and they support all of us and are the foundation for what we build the community on. He thanked his wife for her support and her willingness to move around the country for his job. Mr. Barrington said that he is pleased to be offered the five-year contract and is looking forward to working here for five years.

Mr. Sullivan MOTIONED that the Board of Selectmen approve the five-year contract with Mr. James Barrington as Town Manager.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

IV. APPOINTMENTS

1. Judy Park and Bob Ross, Highway Safety Committee

Mrs. Park said that there needs to be an improvement in the lines of communication between the Highway Safety Committee and the Board of Selectmen. She explained that she took over as Chairman of the committee last winter when Al Greenfeld had to step down from the position due to health reasons. Mrs. Park said that the Committee has made recommendations to the Board that they have not received responses to. She explained that specifically there was a letter in May requesting a professional engineering study of Five-Corners that they are awaiting input as well as two other letters of the same date. Mrs. Park said that the committee meets once per month and listens to concerns of residents and make recommendations to the Board of Selectmen. In the past they have also been involved with safety demonstrations and educations programs and would like the Board's direction on those activities.

Mr. Warburton said that in the past there have been recommendations made that the Board of Selectmen have acted on and they did not seem to have any communication problems with the prior Chairman. Mr. Warburton said that he did not recall receiving letters from the Highway Safety Committee lately. Mrs. Park said that she has sent them and confirmed the mailing address used. Mr. Warburton said that the Board had concerns with doing another study at Five Corners, as it has been discussed several times in the past few years. Mr. Ross said that the concern is that the committee has not been getting those responses.

Mr. Warburton asked Mrs. Park to put together all of the outstanding letters that they want action on and they will be glad to review them. Mr. Sullivan said that he did recall getting the letters in May, and noted that the Highway Safety Committee is an important part of the government and another group of eyes regarding safety concerns is helpful and the Board will try to work with the Committee. Mrs. Park said that there are three letters from May that have not received a response. Mr. Warburton encouraged Mrs. Park to call any of the Board members when she has a concern rather than waiting this long. Mrs. Anderson asked if the several letters referenced in the September minutes have been sent, as she had not received them. Mrs. Park said that those letters have not been sent yet. She provided copies of the three May letters. Mr. Pratt suggested that when letters are received they should be put on the agenda for the Board's review. Mr. Warburton said that these items will be reviewed by the Board on the November 10th agenda. Mrs. Park noted that the Committee did not receive a request to submit a budget for this year. She was assured that their

budget request has been included. Mrs. Bridle asked that all of the items from the September minutes be put together so that the Board can act on them as well, at the November 10th meeting.

V. OLD BUSINESS

Town Manager's Report

Wastewater Treatment Plant Upgrade

Mr. Barrington reported that John Hangen informed him on Thursday morning that Charwill packed up their equipment and left the WWTP project unfinished. The rumor is that they have gone bankrupt. Mr. Hangen has already been in touch with Wright-Pierce about filing a claim with their bonding company for the completion of the job.

Tax Warrant

Mr. Estey informed the Town Manager today that the programmer from Munis has not yet been able to make the data bridge necessary to transfer taxpayer account information. This means that the warrant has not yet been printed. Mrs. Sheehan feels that the warrant will be ready late Tuesday and a Board of Selectmen meeting has been posted for Tuesday at 6:00 PM to sign the warrant. Mrs. Bridle said that she is not available. Mr. Workman said that it will be difficult for him to be present for 6:00 PM. Mr. Pratt, Mr. Sullivan and Mr. Warburton will be available to sign the warrant. Mr. Barrington will keep in touch with the Board in case the warrant is not completed at that time.

Estuaries Commission

The Estuaries Commission, formed by SB 70 last year to study a possible cooperative sewer effluent outfall, met in the Selectmen's meeting room on Thursday afternoon. They will be meeting here again on Monday, January 12, 2004. Mr. Gillick, Hampton's representative to the Commission, brought up some paperwork from the meeting that has been copied for the Board. The Commission will be hiring an engineering firm to study the overall questions as outlined in the packets of information.

Comcast Changes

The Town has received a notice from Comcast this week that notifies us of impending changes in the lineup of some of their channels. We also received an invitation from Comcast to attend a demonstration of "Video on Demand" and "High Definition Television" at a reception Thursday evening, October 30, 6:00 – 8:30 p.m. at the Portsmouth Sheraton. None of the Board members indicated that they would be available.

Paving Projects

Mr. Barrington reported that the town's fall paving projects for this year will be completed this week.

Police Facility

Progress continues on the police station with concrete grade beams being poured and underground utilities being put into place.

Insurance Committee

The insurance committee will be meeting on Wednesday evening to review the workers' compensation renewal that is due January 1, 2004.

Exeter Road Drainage

Mr. Barrington told the Board that he met with John Hangen and Vic Lessard last week on the drainage issue adjacent to his property at the mini-warehouse location.

Wastewater Treatment Plant Operating Guidelines

A separate memo on the wastewater treatment plant guidelines was sent to the Board for their review and the Board can discuss it at another meeting.

Perambulation

Mr. Barrington informed the Board that it has been seven years since the perambulation of the North Hampton and Stratham boundaries and it is incumbent on the older of the two communities to notify the other community that it process needs to be completed. Mr. Barrington will write to the communities of North Hampton and Stratham to try and schedule for a Saturday morning in November.

Budget

Mrs. Bridle asked if the budget that will be presented to the Budget Committee is complete or if the Town Manager will be recommending any changes to it. Mrs. Bridle said that she wants a clear directive from the Board in regard to any new items that may be proposed. Mr. Barrington said that he did not anticipate making any changes, unless the Board wanted to do something for his contract adjustment. Mr. Barrington said that it has always been his policy that once the Board of Selectmen has acted on the budget that is what he will support at the Budget Committee. Mr. Sullivan said that last week, off camera the Board talked about the possible increase to the retirement rates. He said that he has confirmed that the rates are all set until July 1, 2005. The confusion appears to be with health insurance rates.

Exeter Road RR Bridge

Mr. Sullivan asked if the Board wanted to take a stand regarding an at-grade crossing or bridge replacement at Exeter Road. Mr. Warburton said that he spoke with Mr. Fred Rice and confirmed that the Board has had a strong discussion leaning toward an at-grade crossing. Mr. Barrington said that CLD Engineers has talked with DOT about the Board's discussion and he has also confirmed that with the State. Mr. Barry at DOT has said that he would discuss that with the railroad. The land acquisition aspects have been presented to DOT and will apply whether the replacement is with a bridge or an at-grade crossing. The status at this time is that the State and Town are waiting to hear back from the Federal highway people and the railroad. Mr. Barrington said that the railroad has initially objected to an at-grade crossing, but there has been additional discussions based on the number of trains at that location.. Mr. Sullivan said that the Board doesn't want to jeopardize any funding for this project, but he feels that the proposed bridge was too much for Exeter Road and that for the few trains in that area per week it was not worth the additional cost for a bridge. Mr. Warburton stated that there were conversations at the State level regarding an at-grade crossing. Mr. Warburton said that Mr. Stephen Foss needs to be kept informed of this project. Mr. Warburton suggested that the Board go on record of supporting an at-grade crossing for Exeter Road.

Mr. Workman MOTIONED that the Board of Selectmen keep Mr. Foss informed of the status of the Exeter Road railroad bridge replacement plans.

Mr. Sullivan SECONDED

VOTE: UNANIMOUS FOR

Mrs. Bridle said that funding for the bridge this year is out of the picture and that is her concern this year. Mrs. Bridle stated she was not sure if she favored an at-grade crossing.

Mr. Pratt said that he did not want to jeopardize the funding for the project and gathered from the engineer that the funding may be dependent on a bridge crossing. Mr. Barrington said that if the federal highway people would support this, the money would still be eligible for a grade crossing, but he has also said that the preliminary indications from the federal agency was that they will not support an at-grade crossing if the railroad won't support it. The railroad has sent mixed signals, saying that they may abandon the line and later saying that they may want to add high speed trains there.

Mr. Sullivan MOTIONED that the Board of Selectmen indicate their support for an at-grade crossing at Exeter Road and instruct the Town Manager to notify all of the appropriate parties.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Mr. Sullivan asked if the engineer had said that the gas company wanted a portion of the old bridge maintained due to the gas line location. Mr. Barrington said that was correct, but we have later heard that the gas company was interested in lowering that gas line.

V. NEW BUSINESSCoalition Communities Funding Request

Mr. Warburton told the Board that he has received a letter from the Coalition Communities requesting additional funding from Hampton. Mr. Workman asked where the town would find the money. Mr. Barrington said that if the Board is interested in an additional contribution he would find something in the budget that could be given up and he would identify the specific line items for the Board. Mr. Warburton said that they are requesting \$10,000 from Hampton. Mr. Workman said that everyone hates the statewide property tax but he is hesitant to have Hampton contribute any more money at this time. Mr. Sullivan said that there has been a lot of foundation being laid and the residents have said that they wanted Hampton to be part of this Coalition. Mr. Sullivan said that there appears to be some momentum going and he would like to see the funding continue. Mrs. Bridle said that she would want to see where the funds would come from before making the decision. Mr. Warburton said that he was very vocal about not being a part of the Coalition in the past, but after following what the group has done, he is impressed and thinks they are getting the message across.

Mr. Sullivan asked that the Board have the Town Manager look at the budget and see what funds could be used for this. The Board will review this next week.

Building Permit Request – Bashby Road

Mr. Warburton said that the Board received an excellent packet from Mr. Murphy requesting a building permit for a lot on Bashby Road. Bashby Road is a Class VI road which requires the permission of the Board of Selectmen to allow building permits to be issued. Mr. Warburton told the Board that the Building Inspector has no problem with this proposal. Mr. Barrington noted that the statute has stipulations which require the municipality not to assume liability for the use of or maintenance of a Class VI road and that understanding needs to be signed and recorded at the Registry by the property owner. Mr. Workman said that the 1986 approvals qualify as the review from the Planning Board. Mr. Sullivan said that he did not have a problem with this proposal. Mrs. Bridle said that she wants it clearly understood what the town provides for this street, noting the problems the Board has had with private roads.

Mr. Sullivan MOTIONED that the Board of Selectmen authorize the Building Inspector to accept an application for a building permit and to issue it in accordance with all State laws and Town Ordinances to James and Joshua Murphy, 2 Bashby Road.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Revenue Opportunities

Mr. Pratt said that during the budget review process revenue opportunities were outlined. He said that the Board of Selectmen discuss these further. After review of the proposals he feels there may be some fees that could be increased in order to increase revenue. Mr. Pratt said that he would like to see some comparison information on septic disposal amounts for residents and non-residents. Mr. Pratt said that there may not be a lot of revenue increased but there is a potential for some that would not be an impact to the people that are already paying property taxes for the services.

Mr. Warburton said that he has some concerns with some of the fee suggestions. Mr. Pratt said that yard sale permits are one area that could generate a permit fee. Mr. Workman said that charging for yard sales will probably not increase revenues, rather it will increase the number of yard sales that are not permitted.

251 Mill Road

Mrs. Bridle asked if there has been a resolution of the matter at 251 Mill Road, or if a final action date had been reached. The Town Manager said that they had not heard back from the property owner. The Board of Selectmen set November 17th as the date that the matter must be completed and asked that the owner be so notified.

VI. MINUTES

The minutes of October 20, 2003 were accepted as written.

VII. ADJOURNMENT

Mr. Sullivan MOTIONED that the meeting be adjourned. (9:00 PM)

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Chairman