

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
January 5, 2004 7:00 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 amending the stop sign Ordinance to add a stop sign on Playhouse Circle.

There were no public comments.

Mr. Sullivan MOTIONED that the Board of Selectmen amend the Town Ordinances to add a stop sign on Playhouse Circle.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

I. SALUTE TO THE FLAG

Mr. Fred Rice led the audience in the salute to the flag.

II. ANNOUNCEMENTS

Mr. Pratt announced that the second meeting of the Community Center Committee will be held at the Town Office at 7:00 PM on Tuesday, January 6th. Any resident is welcome to attend and assist with this project.

Condolences

The Board of Selectmen expressed their condolences to the family of Firefighter Bill Kennedy on the loss of his brother.

Important Dates

Mr. Warburton noted several important upcoming events for Hampton residents. The Presidential Primary is January 27th with the polls open from 7:00 AM to 8:00 PM at the Marston School. The Deliberative Session of Town Meeting will take place on January 31, beginning at 8:30 AM to review and discuss the town warrant articles. The filing period for residents interested in running for public office begins on January 21st and ends on January 30. The positions available were outlined.

III. APPOINTMENTS

1. Mr. Robert Estey, Assessor, Re: 2003 Abatements

Mr. Estey presented the regular, veterans and elderly exemptions for the Boards approval.

Regular Abatements

Mr. Sullivan MOTIONED that the Board of Selectmen approve the regular abatements #1001 to #1065 in the amount of \$23,057.68

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Abatements for Elderly and Veteran's

Mr. Sullivan MOTIONED that the Board approve the Elderly and Veteran's exemptions #3001 – 3014 in the amount of \$2,932.00.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

2. Mr. Dan Gray, Seacoast Business Alliance, Re: TIF District

Mr. Gray, Executive Director of the Seacoast Business Alliance (SBA) was joined by Mr. Fred Rice, Vice Chairman of the SBA. Mr. Rice explained that he wanted to provide the Board with some additional information regarding Tax Increment Finance Districts in light of the Board not recommending the warrant article which would authorize the town to move forward in that direction. Mr. Rice said that TIF Districts are an important option to be made available for financing town projects and he would like the Board to reconsider putting forward the authorization article. Mr. Rice emphasized that this first article would only authorize the establishment of a TIF District, not actually create one. Mr. Rice said that the Seacoast Business Alliance can provide some technical expertise for the Board, but it would be up to the Board of Selectmen to appoint a commission to run the district.

Mr. Gray told the Board that TIF's have been used in Concord, Keene and Peterborough. The Town of Newmarket is currently looking into the establishment of a TIF. Mr. Gray explained that as a financing option, it is not overly complicated, but does have specific processes to be followed. Mr. Gray gave the Board a sample warrant article and stated that the first step is an article to adopt RSA 162 -K, the following year an article could be voted on to establish a specific district. Mr. Gray explained that the tax income that is earned on increased assessments within the district as a result of the improvements is used to pay the bond issue encompassing those improvements. Mr. Gray said that it is important to educate all of the residents on how this could work for Hampton Beach. Mr. Rice said that if the town voters were to approve the adoption of this provision this year, it would provide one more way financing options for the Board of Selectmen to consider for the beach infrastructure improvements. Mr. Rice added that TIF Districts could be considered for the drainage project along Lafayette Road or sewer improvements in conjunction with the 201 Facilities Plan on the west side of town

Mr. Sullivan asked if this is similar to the establishment of a Village District or Precinct. Mr. Rice said that there are some similarities, but a Village District encompasses all of the government functions for an area and a TIF District only handles the financing of improvements within that area. Mr. Barrington stressed that this is not a separate taxing district, the tax revenue from the increased valuations as a result of improvements are used to pay for the specific improvement that led to the increased property valuation. Mr. Sullivan asked if this were to pass in 2004 what would happen next. Mr. Gray said that nothing further would happen until a specific plan was written and presented to the voters again approval of a specific district.

Mr. Warburton asked if additional language can be added to the sample article for the voters to better understand the process. Mr. Barrington said that before the Board of Selectmen can determine if the article is going to be put forward on the warrant and public hearing is required. He noted that the required advertisement for a public hearing to include the article on the warrant has been done. The Board of Selectmen can take the input from the public at a hearing on January 12th and then determine if they want to put this article forward.

V. OLD BUSINESS

Town Manager's Report

Police Facility

Mr. Barrington reported that the structural steel arrived for the police station and it began to be put into place last week. The concrete slab has been poured for the vehicle maintenance building, and the framework of structural steel is making rapid progress.

Christmas Trees

The curbside Christmas tree pickup concludes on January 12th. Trees may also be taken to the transfer station.

Public Hearings

The public hearing required for the warrant article for the Hurd Farm has been scheduled and posted for January 12 in accordance with state law. As has been the custom, a meeting will be scheduled and posted for 6:00 p.m. on Tuesday, January 13, to review and make a recommendation on any petitioned warrant articles that arrive that day. If none arrive, the meeting will be cancelled.

Hurd Farm Article

Ellen Goethel, Chairman of the Conservation Commission has asked if the Conservation Commission can be allowed to put a PowerPoint program on Channel 22 to show the citizens the land that is proposed to be preserved by the acquisition of development rights. Mr. Barrington asked for the Board's direction on that question.

Tennis Court Article

Mr. Barrington explained that Chairman Warburton asked that he make a report on the latest developments regarding the tennis court warrant article that was declined by the Board earlier. This is in light of a recent bid for four new tennis courts in North Hampton that came in at approximately \$84,000. Mr. Barrington said that he has done a preliminary evaluation the bid specifications between the North Hampton specs and the dimensions of the courts proposed in Hampton for \$125,000. Mr. Barrington added that he is concerned about the difference in timing of the two bids and would not feel comfortable recommending any amount less than \$99,000 for Hampton's project.

Cell Tower Locations

Mr. Barrington reported that he talked with Assessor Bob Estey about land that the Town owns that could possibly be used for cell phone towers. Mr. Estey provided a list of properties owned by the Town. Readily identifiable parcels that might provide space for a cell tower include the following: old town office parking lot, new police station site south of the new building, unpaved parcel south of Island Path Parking Lot, DPW compound, Campbell Property, White's Lane property, parcels identified near the intersection of Route 1 and Route 101. There are also parcels owned by the State or by the School that could potentially be sites with coordination.

Mr. Sullivan said that he would not be in favor of a cell tower being considered near the former town office or fire station due to the emergency communication systems at the fire station that could be subject to interference.

District Court

After a recent newspaper article regarding Exeter's interest in locating the new District Court in Exeter that was forwarded to him from Mr. Workman, Mr. Barrington said that he spoke with Peter Goodwin and understands that meetings will be hold with the interested towns shortly. Exeter has offered the current High School site when the new high school is completed.

Seabrook Power Plant

Mr. Barrington reported that Mr. Giarusso, Florida Power and Light notified him today that the planned reductions in staff took place today at the power plant with a net loss of 73 positions. He was assured that the security aspects of the power plant were not affected.

Mr. Sullivan said that he would like to know how many positions were reduced from the safety or control areas.

Tennis Courts

Mr. Warburton told the Board that he has received a plethora of calls regarding the article for the replacement of the tennis courts. He asked if the Board of Selectmen has any interest in reconsidering putting the article forward. Mr. Workman said that he does not think this is the year to do that. Mr. Sullivan said that the Board of Selectmen wanted to cut the 2004 expenditures and maintain a stable tax

rate and he does not think this is the year. Mrs. Bridle and Mr. Pratt agreed that the article should not be put forward this year.

Hurd Farm Power Point Presentation

Mr. Pratt and Mrs. Bridle both said that they did not have any problem showing the presentation regarding Hurd Farm on channel 22 since this was a Board of Selectmen sponsored warrant article. Mr. Sullivan said that the passage of that article affects the entire community and he has no problem with the presentation being shown. Mr. Workman said that it is a Board of Selectmen article but channel 22 is a government education channel it should not be used to advocate for any article. He noted that he was opposed to the channel being used to advocate for the police facility and he is opposed to it being used for the Hurd Farm article. Mr. Warburton said that the majority of the Board approves showing the Power Point presentation on Channel 22.

Mr. Barrington said that Tracy Degnan of the Rockingham Conservation District has presented some alternative language for the bond article and an amended article has been prepared by Attorney Gearreald. The Board approved the revised language.

Mr. Warburton noted that the warrant will be very short this year. Mr. Sullivan said that many voters will be concerned with expenditure amounts when they go to the polls this year and he wanted to emphasize that there are eight articles that are very important to pass for the special revenue funds that only appropriate revenue that is taken in and do not impact the tax rate. There are also four articles which will increase the tax exemptions for the elderly, handicapped and veterans. Mr. Warburton noted that there will be an article to authorize the Board of Selectmen to enter into a lease for a wireless antenna tower to be located on town property. Mr. Warburton said that this is a generic article that does not name a specific company or location. Mr. Barrington noted that this will also create a revenue source

Hardardt's Way/ Tide Mill Road

Mr. Warburton said that the Hardardt Way/Tide Mill Road area has been discussed many times since the landfill was closed. The access way from Tide Mill Road to the Public Works facility was gated a few years ago with the traffic associated with Public Works diverted to Hardardt's Way. Mr. Warburton said that he has spoken with Russ Bernstein about this matter and understands that the residents of Tide Mill Road would like to have Hardardt's Way opened up for access to the commercial businesses at the end of Tide Mill Road, reducing the commercial traffic on the road. Mr. Warburton said that in 1995 he was on the Board that worked out the agreement for the access road and opening that road up for the commercial traffic could have some problems. Mr. Pratt said that he is not for going against the voters that said that they did not want to open Hardardt's Way for the commercial traffic. Mrs. Bridle agreed that she did not want to go against the voters. Mr. Workman said that he thought Mr. Bernstein had a valid idea, but he is concerned with some of the liability that it could open the town up to.

Mr. Sullivan said that every once in a while the Board of Selectmen gets a chance to improve the quality of life in an area and getting the truck traffic off Tide Mill Road would do that. Mr. Sullivan said that he thinks it is ludicrous for the Board not to try to alleviate that and the potential of a former landowner coming back to the town for additional money is not true. Mr. Sullivan asked Mr. Hangen if he was in favor of doing that. Mr. Hangen said that it is a deeper question, that requires more than a yes or no answer. Mr. Warburton said that even if the voters approved this, it would only be advisory to the Board and would not have to be done. Mr. Warburton said that in 1995 the Board did take a lot of traffic off Tide Mill Road by removing the town truck traffic and opening the gate would create a bigger cost factor for the Town. Mr. Sullivan asked what the expense would be. Mr. Barrington said that the Public Works compound would have to be secured with additional fencing and gates for security purposes. Mr. Pratt said that Mr. Sullivan has some valid points, and he would like to see another warrant article put forth that can improve the quality of life for the residents of Tide Mill Road, but the proper procedures need to be followed. Mr. Barrington said that Attorney Gerreald is of the opinion that it is the Board of Selectmen, not Town Meeting, that has the authority to make Hardardt's Way a Class VI Road. Mr. Warburton said that he believes that Mr. Bernstein would be submitting a petitioned warrant article.

Recreation Bus

Mrs. Bridle noted that the new bus used by the Recreation Department has a town seal, but “Hampton Recreation” is not on the bus as yet. Mr. Barrington said that lettering is planned but has not been done as yet. Mrs. Bridle stated that the driver of the bus should be careful not to cut vehicles off when pulling into “Jokers”. Mrs. Bridle suggested that the bus be used for transportation to the polls at the next election. The Board will discuss that possibility further.

Acceptance of storm water drainage easement from Brooke’s Lane LLC

Mr. Sullivan MOTIONED that the Board of Selectmen accept the drainage easement from Brooke’s Lane LLC..

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Deeding of utility easement to Keohane, 38 Reddington Landing

Mr. Sullivan MOTIONED that the Board of Selectmen approve deeding of a 64 sq. ft. portion of a utility easement to William & Lydia Keohane, 38 Reddington Landing.

MR. WORKMAN SECONDED

VOTE: UNANIMOUS FOR

The deed was signed by the Board of Selectmen and given to Attorney Rupp for recording.

V. NEW BUSINESS

Petition regarding plowing snow at State Parking Lot on Route 1A

Mr. Warburton noted that the Board of Selectmen received a petition from residents requesting that the Town plow the State Parking lot on Route 1A to provide parking. Mr. Warburton said that he has concerns with liability for the town if a vehicle is hit or an employee is hurt. Mr. Warburton wondered if the town should be in that business. Mr. Barrington said that he has talked with Mr. Tom Mattson of DRED about this and the State is willing to allow the town plow that lot. Mr. Barrington said that if there is a 20” snowfall this would be a major project and the town does not have any authority to tow cars that may be left in the lot. Mr. Barrington also said that if there was any damage to the posts the meters go on or to the curbing, there is a question of liability. The Town Manager said that if some of the businesses in that area wanted to work out an arrangement with the State, they could do that and the private individuals would than take on that liability. Mr. Barrington said that the Town has asked the State to plow it, but the Department of Transportation does the State’s plowing but the Department of Resources and Economic Development which oversees the parking lots has taken the stand that while they are not generating revenue from the lot, they do not provide services. Mr. Mattson has said that his department does not have the equipment, manpower, or budget to do that.

Mr. Sullivan noted that DRED was plowing the center lot near the restrooms, that are now open year round, this past week. Mr. Workman said that it would be nice if the State would do it, but it is not something that he would encourage the town to do. Mr. Sullivan asked if the Town Manager could ask the Department of Transportation to reconsider plowing that lot. Mrs. Bridle had no comment. Mr. Pratt said that he agrees with Mr. Workman.

Mr. Warburton said that he understands that the town will be receiving a citizen’s petition for the town to plow the sidewalk along the sea wall. Mr. Sullivan said that there has been a lot of interest generated on this matter. He noted that there are a lot of people that walk along that sidewalk at the numbered streets. If the Board of Selectmen were to receive a petitioned article to plow the section between Winnacunnet Road and High Street he would be in favor of it, within the schedule of Public Works. Mr. Workman said that while he does enjoy that walkway, he would not be in favor of the town plowing the state property. Mr. Pratt asked Mr. Hangen what the problems were when they plowed that sidewalk in the past. Mr. Hangen said that if there was a major snowstorm, the department could not get to that sidewalk in a timely manner and there were several rocks that damaged the equipment. Mr. Hangen said that there is an agreement between the town and DOT that allows the town to plow the sidewalk, with no liability to the State. If the town’s equipment breaks it is the town’s responsibility. He said that his department could resume that activity provided they have the manpower and equipment. Mr. Hangen said that he did not believe a

warrant article is needed; the Board of Selectmen can direct him to plow that sidewalk when the department has the time available. Mr. Sullivan said that the benefit of a warrant article is to hear what the voters have to say about the matter and give the Board direction. Mr. Pratt said that if the warrant article passes, the request could be different from the agreement the town has with DOT. Mrs. Bridle said that there have been some storms when it has taken two days for the sidewalks up-town to be plowed.

Petitioned Warrant Articles

Two privately petitioned articles have been received to date. One has been received for the Hampton Christmas Parade. Mr. Warburton pointed out that this year, based on the suggestion of Mr. Workman the funding for the parade has been included in the general fund. A petition has been submitted in case the budget does not pass. Mr. Warburton noted that the 2003 parade was cancelled due to the storm and the town has received a letter and check in the amount of \$1,116 from the Chamber for the funds remaining from the parade. Mrs. Bridle said that if the budget passes and the warrant article passes, does the Chamber get both amounts. Mr. Barrington said that he understands that it is their intent to amend the article to add a clause that if the budget passes, the warrant article is void. The second article received is from the Seacoast Diversion program in the amount of \$2,500. Mrs. Bridle asked why the entire \$3,500 for the parade was not returned. Mr. Barrington said that prizes and advertising had already been purchased and a few deposits had been paid in advance.

Mr. Sullivan MOTIONED that the Board of Selectmen recommend both articles.
Mrs. Bridle SECONDED **VOTE: UNANIMOUS FOR**

VI. MINUTES

The minutes of December 22, 2003 were accepted as written.

VII. CONSENT AGENDA

- 1. Cemetery Deed
- 2. Leased Land Sales Agreement – 12 M Street
- 3. Deeds – Bridle, Breen; Re: 2002 Town Meeting Warrant Article

Mr. Workman MOTIONED that the Board of Selectmen approve the consent agenda.
Mr. Sullivan SECONDED **VOTE: 4 FOR**
1 ABSTAIN (Bridle)

Mr. Warburton told the Board that Mr. Estey has reported to him that he is not able to attend the Deliberative Session and has asked if the Deputy Assessor should be there. The Board of Selectmen agreed that it would not be necessary for Ms. Boucher to attend.

VIII. PUBLIC COMMENT

Mr. Charlie Preston, 47 Glade Path asked if Mr. Barrington has talked with Mr. Mattson in the past few weeks. Mr. Preston said that if the Town has concerns with the liability of plowing that lot they should look at the lot because there are large holes in the south part of the CPA lot with Hampton DPW barricades. Mr. Preston said that the Town and the State have invested money into the studying the beach infrastructure but there is no public comment allowed at the commission meetings. Mr. Barrington said that Mr. Mattson has told him that the State would try to plow the lot. Mr. Preston said that he believes this is a public safety issue.

VIII. ADJOURNMENT

Mr. Sullivan MOTIONED that the meeting be adjourned. (8:45 PM)
Mr. Workman SECONDED **VOTE: UNANIMOUS FOR**

Chairman

