

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
May 9, 2005 7:00 PM**

PRESENT: James Workman, Chairman, Cliff Pratt, Vice Chairman
Rick Griffin, Ben Moore, Virginia Bridle-Russell
Karen Anderson, Administrative Assistant

I. SALUTE TO THE FLAG

Mr. Richard Bateman led the audience in the flag salute.

II. ANNOUNCEMENTS

The Lane Library and the Hampton Historical Society will be presenting the program "Popular Music of WWII Used to Boost Morale and Propaganda" on May 18th at 7:00 PM.

The Household Hazardous Waste Collection Day will be held Saturday, May 14th from 9:00 – Noon behind the former town office.

The American Legion will be hosting a Welcome Home Celebration for Veterans on Saturday, May 14th from 11:00 AM – 3:00 PM.

The Seacoast Chorale will present their annual Spring Concert at the First Congregational Church on Saturday, May 14th at 4:00 PM. The concert is free to the public.

There will be an informational meeting regarding the Infrastructure Project in the area of Kings Highway held on Tuesday, May 10th at 7:00 PM in the Lane Library.

The annual benefit auction of the Our Lady of Miraculous Medal will be held on May 20th at 5:00 PM with the theme this year being "Salute to the Seacoast Finest".

III. APPOINTMENTS

1. Mr. Richard Bateman, Re: Paint Damage

Mr. Bateman told the Board that some time last September, the town hired a contractor, Highway Safety, Inc. to paint the lines in the roadway and the company chose to do that work at night and early in the morning, leaving a number of lines wet while people were going to work. He explained that his wife drove over a line at the intersection of Locke Road and Winnacunnet Road and got paint on her car, although they did not notice it for a week or so. Mr. Bateman said that there were no cones or warnings out regarding the wet paint and he understands that several people had the same damage, many of whom work at Public Works. Through his efforts other victims have been able to determine how they got the same damage. Mr. Bateman told the Board that he relayed his concern to Theresa at Public Works and Karen at the town office and was put in touch with the company. The company requested that he get an estimate for the repair which he did and after several contacts over the past few months sending pictures and the police report he still has not been paid for his damage. Mr. Bateman said that while other victims have been reimbursed through their insurance company he has chosen not to do that. He added that Mr. Swift and Mr. Hangen have recently spoken with Highway Safety, Inc. and he is awaiting a call from their claims representative.

Mr. Bateman said that this experience has made him question if the town has any procedures in place to track claims made as a result of damages caused by a contractor working for the town. Mr. Bateman assured the Board that he will be able to resolve this on his own now and he appreciates the assistance he received from the town employees. He asked if the town has signed a new contract with Highway Safety, Inc.

Mr. Workman said that he did not know the status of a contract and is not sure how the town tracks liability claims, although he does know that the town requires indemnification from the contractors. Mr. Griffin said that it is a shame that the company hasn't been faster in handling the problem, and suggested that Small Claims Court is something to consider for this type of matter. Mrs. Bridle-Russell asked Mr. Bateman to keep the Board informed of the status of this claim.

IV. OLD BUSINESS

Town Manager's Report

The Town Manager was not present and Mr. Workman read his prepared report.

Default Budget Suit

Chairman Workman, Selectman Moore, and the Town Manager were in attendance, along with Attorney Gearreald for the Court hearing on Thursday for the suit regarding the default budget. Oral arguments were heard, but the Judge made no ruling at the time on either the Motion to Dismiss or the orders sought by the plaintiffs.

Beach Infrastructure Schedule

It is expected that the schedule for the Beach Infrastructure construction will have the paving work completed prior to Memorial Day. The contractor will be working on sidewalks and curbs until the third week of June and be out of the beach area before the end of the school year.

Boat Dock

The permit for the public safety dock has received D.E.S. approval and is going to the Governor and Council for their approval.

Retirements

The retirement payout for Detective Phil Russell was \$37,592.64. We have received notice of the retirement of Firefighter John Karmen effective May 14, 2005. His service began with the Town in December of 1982. A recall notice has been issued for the next firefighter on the recall list.

Town Clerk's Hours

Effective May 9, the Town Clerk's Office will return to their 9:00 – 4:00 hours of operation, Monday – Friday.

Great Meadow Land

Mr. Ted Sanderson and Jim Verra, his surveyor, came to see the Town Manager on Friday morning. They discussed a parcel of land that the Town owns in the Great Meadow area of town near Huckleberry. There are some issues concerning the exact boundary lines. Attorney Gearreald suggested to them that if they wish to do further research on the matter we would be happy to review it as it relates to a project Mr. Sanderson is considering. There was some question of whether they would be interested in purchasing the Town's land or if they merely need to establish exactly where the boundary line is for purposes of their own development. We discussed the role of the RSA 41:14-a process as it relates to several of the property issues. No action is needed by the Town at this time.

Brown Avenue

The Town Manager will be discussing with the Board a request by Dana Anderson for the Town to sell the lot by the Royal property on Brown Avenue after he has examined a few related issues.

School Resource Office

Notification has been received from Chief Wrenn that Officer David Hobbs has been assigned as Interim School Resource Officer at HAJH.

Surplus Materials Auction – Baseball Cards

Mr. Peter MacKinnon spoke to the Board and explained that in the early 1990's the police recovered a stolen car that had already been stolen and contained stolen baseball cards. The town has spent several years with the NCIC trying to find out where the cards came from and just recently received permission to dispose of the cards. One of the 16 boxes of cards was shown to the Board, with Mr. MacKinnon telling them that there are a total of 95,000 cards. Mr. MacKinnon recommended that the Board put the cards on display in a secure area and take sealed bids by the box. Mrs. Bridle-Russell suggested that local resident Chris Morse may be able to give the town an estimate as to the value. Mr. MacKinnon said that he believes that a dealer will be interested in purchasing them. Mr. Pratt said that he would be interested in knowing the approximate value before deciding how they should be sold. Mr. Moore said that he like the idea of sealed bids by the box.

Mr. Moore MOTIONED that the cards be declared surplus and the Town Manager recommend a method to sell them.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

147 North Shore Road

Attorney Gearreald updated the Board on the status of the two deficiencies at the property on 147 North Shore Road that the Board had authorized legal actions. The sewer connection was completed last week and the owner was to have called the Building Department in regard to the electrical issues. As of Thursday of last week that had not happened, so a letter was again sent to the owner about that deficiency. Attorney Gearreald said that the property owner was in the office today and reported that the electrical work has been completed and the Building Department is scheduled for an inspection on Tuesday, May 10th. Attorney Gearreald said that it is likely that he will be able to report to the Board next week that the work has been completed and inspected.

Grievance Hearings

Attorney Gearreald reminded the Board of Selectmen that they need to take confirmatory votes in public in regard to the grievance hearings that they held last week.

Mr. Moore MOTIONED that the Board of Selectmen deny the three grievances heard last week based on threshold issues.

Mr. Pratt SECONDED

**VOTE: 4 FOR
1 ABSTAIN (Griffin)**

District Court

Mrs. Bridle-Russell asked what the Exeter Representatives have learned about the court house in conjunction with the Seabrook location. Mrs. Bridle-Russell asked if the Board of Selectmen could get an update on that for the May 25th meeting.

School Board Meeting

Mr. Workman noted that it was his understanding that the Board of Selectmen is the guest of the School Board for the meeting on May 18th. The Board will be discussing the School Board's use of the Selectmen's Meeting Room.

Non-Union Wages

Mrs. Bridle-Russell requested a summary of the non-union employee's regular wages for 2004 and 2005.

Police Facility Open House

Mr. Griffin asked what the status was for an open house for the police facility. Mr. Workman said that the Town Manager is working on an appropriate date with the Police Chief. The Board of Selectmen requested an update for next week.

V. NEW BUSINESSAppointment to Rockingham Planning Commission

The Planning Board has requested that the Board of Selectmen reappoint Mr. Warren Bambury and Mr. Peter Olney as the town's representatives to the Rockingham Planning Commission. Mr. Workman noted that they have both represented the town very well.

Mr. Pratt MOTIONED that Warren Bambury and Peter Olney be reappointed as representatives to the Rockingham Planning Commission.

Mrs. Bridle-Russell SECONDED

VOTE: UNANIMOUS FOR

Aquarion Water Company

Mr. Moore requested that Mr. Hangen and a representative from Aquarion meet with the Board of Selectmen to discuss the requested opening of Highland Avenue within the moratorium period.

Hampton Police Association Grievance Hearings

The Board received a third grievance for their review today from the Hampton Police Association. Attorney Gearreald told the Board that the Police Association is available for a hearing on May 16th.

Mr. Pratt MOTIONED that the Board of Selectmen hear the three grievances forwarded to their level from the Hampton Police Association on Monday, May 16th at the conclusion of the Board of Selectmen appointment with the School Board in the town office conference room.

Mr. Moore SECONDED

VOTE: UNANIMOUS FOR

Crosswalks

Mrs. Bridle-Russell asked when the crosswalks were scheduled to be painted at the beach. The State Dept. of Transportation will be asked for that schedule.

SRF Loan Refinancing

The Board of Selectmen reviewed the request from the Finance Director for a public hearing to be held to refinance some of the SRF loans.

Mr. Moore MOTIONED that the Board of Selectmen hold a public hearing to take comments on the refinancing of four state SRF loans on Monday, May 23, 2005 at 7:00 PM.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Planning Board Report

Mr. Pratt told the Board that there is a development request before the Planning Board for an Exeter Road property that, if approved, could relieve a long-standing drainage problem in the Bourn Avenue neighborhood. Mr. Pratt said that some of the neighbors have expressed concerns about the condition of the culvert that goes under Exeter Road, so he would like to request that Mr. Hangen report on the condition of that culvert.

VI. MINUTES

Correction: Page 3: change "it" to "lease"

Mr. Moore MOTIONED that the minutes of May 2, 2005 be approved as corrected.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

VII. CONSENT AGENDA

1. 2005 First Half Tax Warrant

2. Hawkers & Peddlers Permit – Northeast Ice Cream
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Mrs. Bridle-Russell MOTIONED that the consent agenda be approved.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

VII. ADJOURNMENT

Mr. Moore MOTIONED that the meeting be adjourned. (7:51 PM)

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Chairman