

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
January 16, 2006 – 7:00 PM**

PRESENT: Jim Workman, Chairman
Cliff Pratt, Vice-Chairman
Rick Griffin
Virginia Bridle-Russell
James S. Barrington, Town Manager
Maureen Duffy, Administrative Assistant

REGRETS: Ben Moore

Chairman Jim Workman called the meeting to order at 7:00 pm and introduced those in attendance.

SALUTE TO THE FLAG – Police Captain Tim Crotts led the audience in the salute to the flag.

PUBLIC HEARINGS

1 - ROCKINGHAM COUNTY GRANT – RECREATION DEPARTMENT

Public comment: None

Mr. Pratt MOTIONED to approve the Rockingham County Grant for the Recreation Department. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

2 -UNITED STATES ATTORNEY'S OFFICE – STREET SWEEPER GRANT – POLICE DEPARTMENT

Public comment: None

Mr. Griffin MOTIONED to approve the United States Attorney's Office, Street Sweeper grant for the Police Department. **Mr. Pratt SECONDED.**

VOTE: UNANIMOUS FOR

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Pratt announced that he will be unable to attend the Town Meeting Deliberative Session on February 4, 2006 as he will be in Florida.

II. APPOINTMENTS

1 – BOB ESTEY – SEACOAST UNITED SOCCER CLUB EXEMPTION

Town Assessor Bob Estey and Town Attorney Mark Gearreald addressed the Board. Attorney Gearreald said that this was the fourth or fifth application for a charitable exemption that the Town has received for this particular property. There have been different applicants prior to the current owner of the property, Seacoast United Soccer Club. The exemption is valued at approximately \$36,582.23.

Attorney Gearreald stated that the Real Estate and Personal Property Tax Exemptions are set forth in RSA 72: 23.

72:23-m Applicability of Exemption – “..... The burden of demonstrating the applicability of any exemption shall be upon the claimant.”

The Town received the charitable application exemption from the Seacoast United Soccer Club in a timely fashion on April 1, 2005. The application was followed by a series of correspondence between the Town Manager and the Club. On June 28, 2005 the Town Manager sent a letter seeking four different types of information from the Club Director in order to act on the application. Some information was provided towards the end of July but not all as requested. As a result there was additional correspondence sent. The Club's Attorney sent a letter on September 2, 2005 to Attorney Gearreald stating that the information would be provided as soon as possible. When the information was not forthcoming an email was sent on October 14, 2005 to the Club's Attorney as well as a letter on December 8, 2005 requesting the information with a deadline for January 1, 2006. The Town did not receive such supplemental information by that date or since.

Attorney Gearreald found insufficient evidence to support the claim of the Club to be charitable.

The examples the Club has given of its charitable work are questionable. The Club generates a large amount of revenue. Through the Board of Tax and Land Appeals it was discovered that there was hundreds of thousands of dollars in separate bank accounts. Approximately, \$313,000 of this money was recently used to purchase land for soccer fields in Epping and Fremont. The problem with this purchase is that it was bought under the name SUSC which is a separate non-profit organization. The Town requested additional information in regards to the funds used to purchase the property. Only a summary sheet was provided and it was unclear about why this purchase was made under a separate entity.

Mr. Pratt MOTIONED to deny the application for charitable exemption of Seacoast United Soccer Club for the following reasons:

1. The Club has failed to provide the supplemental documents requested, despite its attorney's promise to do so on September 2, 2005.
2. The amount of so-called Charitable Work performed by the Club represents only a small fraction of its gross receipts and various items of work claimed to be charitable are questionable.

3. The Club regularly nets a large amount of revenue, out of which it has spent approximately \$313,000 to acquire in a different entity's name, a large parcel of land in Epping and Fremont and not in Hampton
4. If the Club were found to be eligible for a charitable exemption on the basis of its claim that its operation advances the physical well being of the general public, every other sports facility that is a non-profit organization would seek to declare itself entitled to a charitable exemption, despite how much revenue it makes and how it spends its money.

Mr. Griffin SECONDED.

VOTE: UNANIMOUS FOR

2 – MAURICE FRIEDMAN – BUDGET, MASTER PLAN & CIP REPORT

Maurice Friedman addressed the Board of Selectmen. As a member of Budget Committee he has been involved with the budget process and would like to discuss what he believes the Town can do better.

Increasing budgets and increasing tax burdens impact everyone. Mr. Friedman said that cutting expenses does not mean cutting quality or services.

Mr. Friedman suggested that the fire department use the training room in the police station rather than spending additional money on building a facility in the new fire station. In addition he said that many towns have one public safety facility with a training center that could be used by the public, police and fire departments. This may be a better use of taxpayer dollars. In addition, he suggested that secretaries from other departments be used to assist departments without a secretary.

Mr. Friedman suggested that the Town support a Senior Center for Hampton residents. He believes there is a demand for such a facility. He suggested that a Senior Center be situated at the old Courthouse or the former Town Hall. It would then be near Hampton schools and libraries so that they may participate in joint programs.

Mr. Friedman discussed the Capital Improvement Plan. He said that a master plan is a document that describes the citizens' vision for their community. The Capital Improvement Plan (CIP) is a strategic plan for achieving the described vision. Again, the CIP is not a listing of projects and equipment but a blueprint as to how the vision can be realized. Mr. Friedman said that the Town should be able to look in the master plan for guidance on the use of the old Town Hall/Old Courthouse.

He said that Greenland, New Hampshire has 10-15 volunteers serving the community as part of updating the Master Plan. The project will give Greenland residents a chance to identify community projects, increase citizen involvement and reenergize community spirit. Mr. Friedman would like to see a committee set up in Hampton the same as in Greenland. Mr. Griffin said that Hampton does have a Master Plan and it is available from the Planning Department. Mr. Friedman only had a portion of the Master Plan. Mr. Griffin and Chairman Workman said that there is a Master Plan Committee, (a subcommittee of the Planning Board), dedicated to working on the Master Plan. It was suggested that Mr. Friedman attend some of the Master Plan Committee meetings.

3 – GRAIL O’CONNOR – PROJECT COMPLETION N STREET, GRACE PERIOD, LEASING STREET PARKING AND TAXES

Grail O’Connor, Judy McCarthy and Paul Haughton addressed the Board of Selectmen. As property owners along N Street they are concerned about parking. They have lost two parking spaces in the area due to construction and they are concerned that they will lose more.

Mrs. O’Connor said that realtors have been inquiring about parking availability during the summer rental season.

She also asked if construction in the area will be complete by the summer time. Mr. Barrington said that it is his understanding that it will be done. He will confirm construction plans and let Grail O’Connor know.

Mrs. O’Connor asked if the Town has considered leasing parking spaces along the street. In order for the Town to lease on-street parking spaces it would require a vote. Mr. Barrington will discuss this with Town Attorney Gearreald. Mrs. Bridle-Russell asked who would enforce on-street leased parking. In addition it was questioned who would decide who gets these parking spots. Mr. Barrington will contact Grail O’Connor with an answer to her question.

It is believed that the state leases parking spaces. Mrs. McCarthy said that it is her understanding that the state only leases to hotels and motels. The State enforces their leased parking spots.

Mr. Griffin suggested that they consider leasing from private property owners.

Mrs. O’Connor asked if the Selectmen are instructing the Town Assessor to adjust property values that have no parking. Lack of parking will have an impact on their property tax. Mr. Barrington suggested that they contact the Town Assessor Bob Estey.

III. OLD BUSINESS

1. TOWN MANAGER’S REPORT

Mr. Barrington met with the New Hampshire Department of Transportation (NHDOT), Transportation Enhancement Advisory Committee on Wednesday, January 11. They spent about an hour on a discussion regarding a job in Plymouth over the subject of whether or not to allow federal transportation money from this grant to be used for overlay of the entire width of the street on such a project. In the end, they created a precedent to not allow pedestrian/bicycle enhancement funds to be used for street overlay. When Mr. Barrington was ultimately called to present our case, Mr. Barrington packaged our request accordingly, asking (1) for the project to be moved to the west end of the loop, and (2) what part of the project would be eligible for federal 80% funding. The Committee restyled the question as a “substitution” of one project for another and argued that if the Exeter Road project had been proposed when the Winnacunnet Road project was approved, it might not have fared as well against the competition for the grant monies. Therefore, they voted to deny the Exeter Road project. Mr. Barrington then asked for clarification concerning the availability of the money for the original Winnacunnet Road project. He was assured that if Hampton wishes to fund the required 20% local match on the original project, the 80% federal funding would still be available following the 2006 Town Meeting. Therefore, Article 12 as it is currently worded will not be funded and is therefore moot. If it is amended at the Deliberative Session to fit the Winnacunnet Road project, and the voters approve the amended article in March, then the federal monies are still available.

Mr. Barrington communicated this week with SAU21 Superintendent Jim Gaylord about implementation of the Traffic Engineer's recommendations for the Winnacunnet Road / Park Avenue / school driveway area. We are rapidly approaching a deadline for a cover for the 2005 Town Report. A few ideas to prompt discussion were provided in the Selectmen's packets.

The past week was primarily concerned with getting ready for, attending, and preparing follow-up information for meetings. We are still working the final bugs out of the software conversion, and the auditors will be arriving on Wednesday, January 18. We expect them to be in our offices for a week.

Fire Chief Hank Lipe reminded the Town Manager that this is the year for the Seabrook Nuclear Plant graded exercise. We will participate in the preparatory drill on March 15 with the graded exercise following on April 11. Mr. Barrington will provide more details as they become available.

Mr. Barrington is scheduled to be in Concord on Friday, January 20 for the monthly NHMMA meeting.

Selectmen's Response to the Manager's Report

The Selectmen complimented Mr. Barrington on the pictures he had taken for the cover of the Annual Report. The pictures were of people surfing at the beach. It was the consensus of the Board to have additional pictures presented of the Courthouse and of the infrastructure project. The Board will need to make a decision before the beginning of February.

2 – AUTHORIZE ACCEPTANCE OF DONATION FOR ICE POND

The Conservation Commission would like to set up an account to accept donations towards the purchase of all or part of the Ice Pond property (tax 95 lot 2 and tax map 96 lot 3). This fund would be made up of monies privately donated and could be used only towards the purchase of the property and to include any expenditures towards appraisals or surveying for the procurement of the property or rights thereof. In the event that the property is not purchased the donors would be given the option of a refund or leave the monies in the Conservation Land fund.

RSA36-A:4 states, (Conservation Commission) "...may receive gifts of money and propertyin the name of the city or town, subject to the approval of the local governing body...." Therefore the Conservation Commission asks the Board of Selectmen take a vote to accept these funds.

Article 41 of the Warrant addresses the Ice Pond purchase.

Mr. Pratt MOTIONED to enable the Conservation Commission to set up an account to accept donations towards the purchase of the Ice Pond property. In the event that the property is not purchased the donors will be given the option of a refund or to leave the donated money in the Conservation Land fund. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Old Business Continued

Mrs. Bridle-Russell inquired if one of the Town employees has received an increase in salary as of January 1, 2006. Mr. Barrington said that the only employee that he could think of that was receiving an increase was

because they got a promotion. Mr. Barrington mentioned that union employees under contract will receive their pay increase when entitled.

Mr. Barrington explained that the purchase orders are not final until the audit is complete. The purchases are subject to whether there are funds available.

Mr. Pratt said that he has received a number of phone calls from citizens who have expressed their support for Rockingham Community Action (RCA). There are many residents who receive fuel assistance from RCA. It was suggested that the organization be contacted and that information in regards to the number of Hampton residents receiving assistance be provided to the Board of Selectmen for consideration. The Selectmen may reconsider their position on the Petitioned Article at the Town Meeting Deliberative session.

IV. NEW BUSINESS

1 – BENCH REQUEST

Wendy English sent a letter to the Board requesting a Bench with a plaque in tribute to a friend. In the letter Ms. English requests that the Board of Selectmen consider a location for the memorial bench.

Mrs. Bridle-Russell MOTIONED to approve the bench request and that it be placed in the Ruth Stimson Park, by the sea wall. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Discussion: A letter will be sent to Wendy English letting her know that the bench request has been approved and that the Recreation Department will be contacting her in regard to the procedure.

2 – REPORT COVER

Addressed during the Town Manager report.

New Business - Continued

Mr. Pratt requested that the no-parking signs be removed from in front of the courthouse. Mr. Barrington said that the ordinance may need to be amended. Mr. Barrington will look into that.

Chairman Workman requested that Police Chief Jamie Sullivan provide an assessment and vision of the Police Department. An appointment will be scheduled for Chief Sullivan no later than February 13, 2006.

V. MINUTES – JANUARY 9, 2006

Mr. Pratt requested that under announcements in the second paragraph that dedication of the bell to Mr. Bob Webber be added.

Mr. Pratt MOTIONED to accept the January 9, 2006 minutes as amended. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

MINUTES - JANUARY 10, 2006

Mrs. Bridle-Russell MOTIONED to accept the minutes of the January 10, 2006 meeting as presented.

Mr. Pratt SECONDED.

VI - CONSENT AGENDA

- 1 Yield Tax Warrant**
- 2 Correction Mortgage Discharge**

Mr. Pratt MOTIONED to accept the consent agenda which included the Yield Tax Warrant and the Correction Mortgage Discharge. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

VII - PUBLIC COMMENT

Mrs. Jeanina Scanlon addressed the Board of Selectmen regarding parking in the beach area. She is working towards preserving some of the parking in the area. She is concerned that at the end of the infrastructure project parking will not have been considered. Mrs. Scanlon met with Mr. Barrington in December to discuss her issues and present a plan. She would like the Board of Selectmen to review the plan and address her concerns. An appointment at a Selectmen's meeting will be scheduled in order for the Board to provide their feedback. She is seeking a solution to the lack of parking.

VIII. ADJOURNMENT

Mrs. Bridle-Russell MOTIONED to adjourn the meeting at 8:40 PM. **Mr. Pratt SECONDED.**

VOTE: UNANIMOUS FOR

Chairman