

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
May 22, 2006 – 7:00 PM**

PRESENT: Virginia Bridle-Russell, Chairman
Ben Moore, Vice-Chairman
James Workman
Rick Griffin
Bill Lally
James S. Barrington, Town Manager
Maureen Duffy, Administrative Assistant

REGRETS:

PUBLIC HEARING

1 – ACCEPT A MODULAR TRAILER FROM WINNACUNNET HIGH SCHOOL (WHS) TO BE USED BY THE PUBLIC WORKS DEPARTMENT.

Public Works Director John Hangen addressed the Board. Even though there is no charge for the modular trailer there are still costs involved with moving it. The trailer is to be used as an office by the sewer and drain crews. It would be a short term solution for space. Until voters support a large garage to store expensive equipment, expand the lab and additional office space the modular trailer will suffice.

The expected cost of moving and hooking up the trailer is \$23,700. Chairman Bridle-Russell asked if this money has been allocated to other items. Mr. Hangen explained that the Department will have to do without in certain areas in order to pay for the move. The trailer that the Department is considering is the larger one (66 feet by 26.5 feet) of the two. Not only will it provide office space for the crew but a storage area as well.

Mr. Lally recognizes the need for additional space but is reluctant to spend \$23,700. Mr. Workman asked if the smaller trailer would be less expensive to move. Mr. Hangen does not believe there would be much of a price difference.

Mr. Griffin asked if Mr. Hangen is supportive of the trailer being used. Mr. Hangen is regrettably supportive of it as it will work in the short term and it will get good use.

The Board would like a price comparison for both sized trailers. A decision regarding the trailers will be made on June 5.

2 – NO PARKING ON WALNUT AVENUE EAST OF SAPPHIRE AVENUE

The property of concern is owned by the Town. There is a liability concern when there are people parking on Town land without permission and a problem with drainage.

Mr. Moore MOTIONED to amend the Town ordinances to provide for “No Parking” on Walnut Avenue east of Sapphire Avenue. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

Chairman Virginia Bridle-Russell called the meeting to order at 7:20 pm and introduced those in attendance.

SALUTE TO THE FLAG

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Lally announced that the High Street parking lot paving looks good and the Ashworth lot should be done soon. He also received many positive comments regarding the free transfer station disposal weekend.

Mr. Moore reminded citizens that dog licenses are due. Postcard reminders have been sent out and dog owners will be charged the regular fee until May 31. After that date late charges will be in effect. There are 600 dog owners who have not paid yet. Residents are to contact the Town Clerk’s office if they are no longer have a dog.

Mr. Griffin thanked Mr. Barrington for keeping him informed by email. He was able to keep up to date with the happenings in Hampton while overseas.

Mr. Workman announced that there will be no Selectmen’s meeting next Monday (May 29). He also reminded citizens that Memorial Day events will begin at 8am at the Hampton Beach War Memorial Lady by the Sea. Following the service a parade will commence at 11am from the parking lot behind the Town Office.

Mr. Moore reminded citizens that the Town Clerk’s office will be closed on Wednesday, May 24.

Chairman Bridle-Russell thanked Hampton Boy Scout Troop 176 & 177 for helping people who have been affected by the flood. She also thanked Public Works for picking up flood damaged materials this week.

II. APPOINTMENTS

1 – MR. & MRS. BOYNTON - FLOODING

Mrs. Boynton thanked the many neighbors and boy scouts for helping people during the flood.

The Boynton’s and other members in the audience live in Taylor River Estates which is a condo association with private homes located on a private road. When the rains came the Taylor River culverts became blocked by debris which caused massive flooding.

Mrs. Boynton questioned where the Town officials were during the flood crisis. She contacted the Town Manager seeking an emergency phone number. Mr. Boynton contacted the Fire Department and they showed up an hour later. She also said that when she contacted the Police Department they did not receive a phone call back. Mrs. Boynton said that she did not get an evacuation notice when others did even though not all of the homes needed to be evacuated.

She was also frustrated that sand bags were not provided. Mrs. Boynton said that she requested a dumpster from the Town and that she was told that if the Town provides a dumpster to Taylor River Estates they would need to provide one for every neighborhood.

Sunday evening State workers began cleaning the debris from the culvert and the water began to recede.

Mrs. Boynton said that she and her fellow condo residents are tired of being treated as second class citizens because they live on the west side.

Mrs. Boynton's objective is to have Town officials realize the flooding that occurred in the area could have been avoided if Town equipment would have been used to unplug the culvert.

Taylor River Estates is situated on a private road and they do not receive trash picked up or have their roads plowed in the winter time. The residents in the area would like the Town to consider having these services become available to Taylor River Estates.

The Estates have flooded three times before, and the residents do not want it to happen again.

The Condo association has had an attorney write a letter to Mr. Barrington addressing the two lots that are owned by the Town. The association would like the Town to sell the property to them or all the condo fees be paid back to the condo association.

Frank Chamberland questioned if it is appropriate for the Fire Department to pump out flooded houses. He was informed that the Hampton Fire Department does not provide pumping services. Mr. Chamberland said that last Friday it appeared that there was a fire truck pumping out a house along Towle Farm Road. Mr. Chamberland commended on the blocked culvert. He said that once State personnel cleared the debris from the channel the water went down significantly. He suggested that perhaps it is time that the Town start questioning the State.

Shane Pine is a home owner in Taylor River Estates. He said that when the culvert became blocked he contacted the Town. He noted that it appeared Town personnel were playing the blame game instead of helping. Mr. Pine is very disappointed that no Town officials came to the area during the crisis. He noted that in other towns officials were actively assisting citizens. He wishes that his town officials would have assisted citizens by filling sand bags or helping people salvage belongings. Mr. Pine also believes that the flooding in his neighborhood would not of happened if it wasn't for the culverts becoming plugged.

Mr. Boynton made many phone calls to various Town departments and noted that they did not know emergency phone numbers or who to call. He believes that personnel need to learn proper procedures during emergency situations and get the appropriate phone numbers out to people. He suggested that the Town needs better leadership in emergency situations and not people passing the buck.

Catherine Boston asked what the Town can do to help Taylor River Estates residents deal with the mess. She also said that this was an avoidable situation that never had to happen and suggested that the culvert needs to be changed to handle more water.

Chairman Bridle-Russell asked the Town Manager if the Town's emergency management center was in operation. Mr. Barrington and the Fire Chief Hank Lipe went and looked at the areas that are prone to flooding, Public Works employees were busy pumping out flooded areas. The floods were heavier than the Town is used to dealing with. The emergency management center is designed to have one main phone number that is to be manned by the Fire Chief. Mr. Barrington was not certain to why the center was not open.

Mr. Lally stated that this is an embarrassment and that Taylor River Estates needs to become a priority. He also mentioned that dialog needs to begin between the Town and the State regarding the capability of the culverts that caused the flooding. Mr. Lally would also like to see garbage crews in the area to remove flood damaged materials.

It was suggested that a study group be formed to address the problem. Mr. Boynton volunteered to be part of the group. The group will be responsible for discussing the culvert problems with the State to see how the situation can be rectified. Mrs. Boynton will be the contact person for the association.

Mr. Moore suggested that perhaps the Fire Chief should come to a Board meeting to explain any weakness in the emergency plan.

Mr. Barrington noted that there are constitutional matters involved with providing public services to private neighborhoods.

Mr. Griffin questioned who is responsible for clearing the culverts. It was determined that it is the State's responsibility.

It was also questioned why the Town's emergency response center was not implemented during the crisis.

Mr. Boynton would like to see the Town take the initiative to contact the State to discuss the problem.

Mrs. Boynton noted that other neighborhoods located along private roads get trash pickup and their roads plowed. Many Board members questioned if this could be done for Taylor River Estates residents. Mr. Barrington advised that the Town Attorney should review the subject before make a decision.

The Town owns two lots located in Taylor River Estates. Mr. Griffin suggested that the Town should be responsible for paying condo fees to the association.

Mr. Workman agreed that the culvert situation is a concern and that Town officials should have contacted the State to request assistance with the situation. He also stated that the cleanup process should be through the entire Town, including private roads.

The Public Works department will be directed to pickup damaged materials in the area on Tuesday (May 23). Mrs. Boynton will be contacted to notify the association regarding the time that the pickup will start.

Board members questioned why nothing was done to assist people in the area and why the emergency management center was not open. Fire Chief Lipe will be asked to explain the situation.

It was suggested that the State engineer responsible for the culvert be invited to attend the June 5th meeting. In addition the Taylor River Estates representatives were invited to attend.

Mr. Pine thanked the Board for their sympathy. He still wishes that the Town could have helped them to unclog the culverts by using some of their equipment. He would like to believe that when there is something wrong his neighbors and Town officials would help him out. Mr. Pine requested that a plan be developed to deal with the problem so it never happens again.

Mrs. Bridle-Russell is very upset that there was no central phone number setup to deal with the crisis.

Fire Chief Hank Lipe addressed the Board to clarify any questions regarding the management of the emergency flood situation.

Mr. Lally asked what the criteria is to open up the emergency response center. Chief Lipe said that it is based on demand and staffing capabilities. It is located at the uptown fire station and is staffed by the department head (Fire Chief) with the exception of the communications people and a Board of Selectmen member. When the center is declared opened he is no longer the Fire Chief and a fire officer would have to assume his role. During the flood crisis he had no other staff to assume his role as Fire Chief.

Mr. Moore requested clarification regarding the demand criteria. Chief Lipe said that usually it is a long term event where the Town needs direction for evacuation. For that reason the flood did not meet criteria because the majority of the Town was not being evacuated. Chief Lipe explained that there is an emergency book that provides a step by step method of dealing with emergency situations. He followed the guidelines set out in the book. Since the culverts at Taylor River Estates are the responsibility of the State they were not listed.

The Fire Department was beyond critical mass and could not handle a storm of this magnitude. The Department received a lot of calls and a lot of people were helped. Many staff members worked 48 hour shifts. Chief Lipe stated that his decision was based on ensuring that there were firefighters in the field rather than him being on the phone in the emergency center.

Mr. Griffin asked about the hazard mitigation plan. Chief Lipe commented that the emergency plan identifies local hazards that need to be addressed during emergencies. It is a local plan that is registered with the State and FEMA.

Mr. Griffin asked for clarification regarding the criteria for opening the emergency center. Chief Lipe said that the issue was the lack of personnel as there was no command officer to help deal with the situation.

Mr. Griffin said that it sounds like the Town needs a clearer way of getting people in contact with the State. He said that the Town needs to have a central phone number in these types of situations. Chief Lipe said that the emergency center can be setup for snowstorms and hurricanes but can fail when the system that can be afforded is over taxed.

Mr. Griffin believes that more should have been done.

Mr. Lally is disappointed that there was no unified command and no one to call during the crisis. Chief Lipe stated that he does not have enough staff and that the Department was out straight the entire time.

Mr. Workman asked what would have made up the Chief's mind to open up the emergency center. Chief Lipe did not have a deputy chief to take on the role of Chief while he was acting as the Emergency Manager and that is why the center was not opened.

Chief Lipe contacted the Red Cross to have a shelter setup. When displaced individuals were asked to go to a shelter they declined.

Mr. Workman asked how many staff members would have helped during the situation. Chief Lipe had no command officer that could act as the Chief while he took on the role of emergency manager. The Town cannot afford not to have additional firefighters.

Chief Lipe noted that the Town placed cement barricades to protect Ocean View Condominiums from property damage rather than saving the Grist Mill.

Chief Lipe said that a conference call will be held tomorrow to discuss FEMA. He said that FEMA inspectors have been to Hampton and he took them around to view the property damage.

Chairman Bridle-Russell asked the Chief if the Fire Department was pumping out a home along Towle Farm Road. The Chief said that the Department does not have the resources to pump out basements. The Town was hit hard and the property damage is huge.

III. MINUTES – MAY 15, 2006

Page 5 – Should read - Mr. Lally encouraged citizens to be patient rather than Mr. Moore.

The minutes stand as corrected.

IV. OLD BUSINESS

1. TOWN MANAGER'S REPORT

The Southern Baptist Relief Mud-out efforts is a religious group that will assist flood victims with cleaning out homes.

Citizens with residential property damage need to register with the State at 1-800-458-2407 in the event that financial assistance comes available. Business owners register at 1-800-417-4110.

The Red Cross will be dropping off clean up kits for people who need additional mops, brooms and other materials to assist them with cleanup efforts.

A meeting was held today to discuss the details of moving sand from the main beach area to the Sun Valley Area. This is a joint state-local project with involvement from DES, DRED, and DOT. It is anticipated that the sand will be removed this week. The State has committed a front-end loader to assist with moving the sand.

Public Works will be picking up flood damaged materials at curbside next week. This is not to be confused with a "spring cleanup", but is limited to flood damaged materials.

The paving of the High Street Parking lot is complete and it reopened last Friday. The Ashworth Avenue lot is still being reworked in preparation for paving. We are expecting paving of the Ashworth lot to commence on Monday or Tuesday and should be complete by the Memorial Day weekend.

The roof leaked at the Beach Fire Station, and a minor leak at the Town Office. We have been removing water from the basement of the Town Office since Sunday evening.

Zoppo has reported that they are still working toward the original completion schedule barring any further uncontrollable delays. Sidewalks should be complete by the end of June. Mr. Barrington asked if the Board is interested in hosting a formal "ribbon cutting" to mark the completion of the project.

There was a pre-bid meeting for the Marine Rescue Pier today. There were eight potential bidders. Bids will be opened in mid June.

The Town is looking for a qualified finance director and welfare clerk. Ads are in the newspaper and online.

There is a \$25 permit fee for setting up new fire alarm accounts and some of the people who are converting from the Town system to private providers he recommended waiving the fee.

SELECTMEN'S RESPONSE TO THE TOWN MANAGER'S REPORT

Mr. Moore MOTIONED to give the Chamber of Commerce permission to use the old Town Hall and the High Street parking lots during the Seafood Festival (September 8 to September 10th). **Mr. Workman SECONDED.**
VOTE: UNANIMOUS FOR

A date needs to be determined as a deadline for people in the beach area to tie into the sewer connection.

Mr. Moore MOTIONED to waive the \$25 permit fee for setting up new fire alarm accounts. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

Mr. Griffin asked how far behind Zoppo is on the construction project. Mr. Barrington stated that it is anticipated that the road work will be done by May 29th as outlined in the contract.

Mr. Workman inquired about the road damage along Drakeside Road. Mr. Barrington reported that there was a collapse along the sewer line. Mr. Barrington and Mr. Hangen met with Tom Nigrelli. Mr. Nigrelli agreed to make the repairs and has hired Vic Lessard to do the work.

Mr. Workman also asked about the problem that railroad created with water runoff behind Hannaford's. Mr. Barrington said that it is still a problem. He understands that Hannaford's is planning on hiring an engineering firm to resolve the problem.

Mr. Workman MOTIONED to have a personnel meeting at the end of the meeting. **Mr. Moore SECONDED.**
VOTE: UNANIMOUS FOR

2- MUNICIPAL FIRE ALARM SYSTEM

The Town Manager received a letter discussing a local business owner's concerns about the removal of the municipal fire alarm system. The individual was concerned that the voters did not understand the subject at hand and the negative impact it would have on many business owners.

Mr. Barrington explained that the voters supported to discontinue the municipal Fire Alarm Service and the Board's hands are tied. There are a number of alarm companies that provide a similar service. Mr. Barrington will confirm the date and the information that companies will need to proceed with the switch over.

3 – NAMING LANDMARKS IN HONOR OF VETERANS

Mr. Workman MOTIONED to name the marine rescue pier in memory of Bruce W. Brown (Brown Marine Pier) and the school athletic field after Mark L. Brown (Brown Marine Pier). **Mr. Moore SECONDED.**

DISCUSSION:

There is no public hearing required.

VOTE: UNANIMOUS FOR

4 – SUMMER SCHEDULE

Mr. Workman MOTIONED to accept the proposed summer schedule with the exception of scheduling a meeting on June 12. **Mr. Griffin SECONDED.**

DISCUSSION:

VOTE: UNANIMOUS FOR

The consensus of the Board was to invite the Fire Chief as well as the other Department Heads who are involved in the emergency system to the June 5 meeting. State representatives will also be invited to address the Taylor River culvert issue.

V. NEW BUSINESS

1 – SCHEDULE PUBLIC HEARING FOR POLICE GRANT FUNDING

The Route 101 Saturation Patrol Grant, the Youth Driver Enforcement Grant and the OHRV Enforcement Grant do not need to be posted in a local paper because the grants are under \$5,000. The Youth Liquor Law Enforcement Grant for \$6,000 will need to be posted in a local paper prior to the meeting.

Mr. Moore MOTIONED to schedule a public hearing to accept grant funding from: The Route 101 Saturation Patrol Grant, the Youth Driver Grant, the OHRV Enforcement Grant and the Youth Liquor Law Enforcement Grant. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

OTHER NEW BUSINESS

Mr. Moore noted the letter regarding the surfing contest request. Mr. Barrington said that he is waiting for a few more details.

Mr. Moore would like a response from the Finance Director on the following: the cost of implementing GSB 34 and if it is possible to implement this year, the technology involved in placing the financials on the Town's website and any drawbacks in doing so, clarification on the police grant of \$93,203 as he does not recall approving the amount stated. Mr. Barrington said that it is conceivable that the grants were received last year but have not been spent but there should be an encumbrance supporting it. He also asked for clarification for the fire department grants (\$109,010) as he does not recall approval. He would like a list of items over \$5,000 that has been encumbered in 2005 that has not been spent. Mr. Moore is interested in the revenues for the EMS fund.

Mr. Lally talked about the letter that the Town received from the City of Portsmouth. The letter is in regard to the Coalition of Communities. Mr. Barrington believes that the Town has contributed approximately \$40,000 towards the Coalition over the year but has not lately due to the financial state of the Town. Mr. Lally suggested that contributing funds towards the Coalition should be considered a warrant article. Mr. Workman suggested that a letter be sent to the Mayor of Portsmouth expressing Hampton's desire to be informed about Coalition happenings and an explanation regarding Hampton's inability to financially contribute at this point in time.

VI. CONSENT AGENDA

- 1 – Assignment of Lease – Dembowitz to Barthell
- 2 – Town of Hampton Leases for Barthell
- 3 – Liquor Commission – Beer & Wine Liquor License

Mr. Workman MOTIONED to approve the consent agenda. **Mr. Moore SECONDED.**

DISCUSSION:

VOTE: UNANIMOUS FOR

VII. - PUBLIC COMMENTS

Nathan Page addressed the Board. He would like the Board to consider extending the deadline date past the effective date indicated in the Warrant Article. He suggested that business owners, churches and nonprofit organizations need more time to make arrangements and suggested a deadline in the fall. He realizes that the decision is based on the decision of the voters. He is disappointed that he was not present at the Deliberative Session to defend the service. He would have been interested in paying a fee to the Town for the service. He is hopeful that the deadline date will be extended.

Matt Taylor stated that it is near impossible for businesses to comply in by June 30th and would like to know what the Board can do to help.

Edward Mulloy (10 Dover Ave) addressed his concerns about patch paving along Dover Avenue. He is worried that the work along the roadway will not hold up and the work will need to be done again in a few years. Mr. Barrington explained that the street will be patch paved with an overlay. Mr. Lally mentioned that the project engineer assured the Board that the paving would be fine for approximately 20 years. Mr. Mulloy said that as a tax payer he is looking for a 50 year solution. Mr. Barrington mentioned that when the project was discussed many months ago, the majority of the people in the area did not want the same thing as him and when cuts were made to the project the complete repair of the road was cut.

Victor Demarco addressed the Board. He said that he has never seen a department head put in such a difficult situation at a Selectmen's meeting before. There are legitimate concerns but the Board did not have to put the Fire Chief under so much pressure. He noted that the Town has lost a lot of experienced personnel in recent years due to default budgets. Mr. Demarco believes that the impacts of a default budget are not being explained properly. If people want to receive public safety services they need to understand that it costs money.

Fred Schaake commended Mr. Mulloy for his comments and agrees with him. He is also concerned about the trench patch paving

VIII. - CLOSING COMMENTS:

Mr. Griffin believes that there is a problem with the Hampton emergency plan.

Mr. Workman hopes that we can learn from our mistakes and make certain that they never occur again.

Mr. Lally would like the Warrant Article regarding the Fire Alarm System to be reviewed to determine if the date can be extended.

VI. ADJOURNMENT

Mr. Workman MOTIONED to adjourn the meeting at 10:25 PM. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

Chairman