

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
June 26, 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:**

**Chairman Virginia Bridle-Russell called the meeting to order at 7:00 pm and introduced those in attendance.**

**SALUTE TO THE FLAG**

**I. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mr. Barrington read his letter of resignation. He will be resigning from his position as Town Manager on August 25, 2006 (sixty days as agreed to in his contract with the Town).

The Board of Selectmen thanked Mr. Barrington for his years of service and wished him the best in his future endeavors.

**II. APPOINTMENTS**

**1 – STATE GOVERNMENT REPRESENTATIVES – TAYLOR RIVER**

Harvey Goodwin the Administrator of the New Hampshire Bureau of Turnpikes and his Assistant John Hansen as well as representatives from the Department of Transportation (DOT), the DOT Bureau of Environment, Department of Environmental Services as well as Fish & Game were present to discuss and answer questions regarding the Taylor River flood.

The State representatives posted pictures to exhibit the Taylor River culvert during the flood on (May 12 – 15, 2006). The Taylor River dam was built in 1949 followed by the construction of the bridge in 1950. In 1974 the dam was widened and an overflow multi-plate structure (culvert) was installed.

In 2003 it was determined during a State wide inspection that the culvert located at Taylor River was deteriorating and would require repair. Once funds came available in March of 2006 a steel plate was placed at the bottom to improve water flow.

It is expected that the Taylor River dam will be studied later this summer to determine a long term solution with a course of action. The current schedule for repairing the bridge and overflow pipe would be in 2010. The State will be hosting public hearings to address any concerns or questions that people may have in regard to the study.

State representatives are not aware of any obstructions that were blocking the culvert during the flood. They believe that the culverts were at capacity and were not able to handle the amount of rain (15 inches).

Mr. Lally asked what the protocol is in regard to the fish ladder during a flood situation. The NH Fish & Game representative explained that it is state law that only Fish & Game personnel can be on the fish ladder.

Mr. Moore asked for clarification regarding debris in the culvert. State representatives reiterated that they were not aware of any blockage in the culvert and that no personnel removed any debris. Mr. Moore pointed out that there were many reports from residents stating that the river water dropped significantly by Monday (May 15) morning and asked if the tides would have had any influence. State representatives believe that it may have had a bearing.

Mr. Griffin asked if it would be advantageous to have the repairs done sooner than 2010. State officials would like to get the process going as soon as possible and noted that the project will take time. Mr. Griffin asked what the state protocol was in an event of a similar emergency. Mr. Goodwin explained that the state opens the Emergency Operations Center in Concord and they work with all of the effected towns.

State officials do not know what they could have done to prevent the flooding that occurred in the area. They wish that there was more that they could have done.

Mr. Workman asked the State representatives if they were aware of any blockage in the culvert. Again, the State officials stated that they are not aware of any blockage. Mr. Workman is pleased that the State is planning on repairing the bridge and would like to see a better design that would improve water flow.

Shane Pine asked if the Emergency Operations Center was open on Mother's Day. Mr. Goodwin replied by stating that it was open at 11am on Saturday, May 13<sup>th</sup>. Mr. Pine asked why there is evidence of swirling water at the culvert in one picture but not in the other. State officials explained that the pictures were not taken at the same time and was taken at a different angle. Mr. Pine asked if the repairs that were done in March of 2006 decreased the amount of space available for water to travel through. State representatives believe that the repairs should have increased the flow. Mr. Pine said that in 1996 Vic Lessard unplugged the culvert with some of his equipment during that flood. According to the government officials there was no debris removed from Taylor River during the 1996 or May 2006 floods.

Debra Stevens has lived on the main level of the river for 18 years. She said that the river seems higher then ever before and inquired if it would be possible to keep the level of the river lower. Mr. Goodwin doesn't believe that decreasing the level of water would help as the capacity of the culverts is still the same and that it would only give residents more time to respond. The representative from Fish & Wildlife explained that there is a board controlling the Taylor River pond level. Many of the residents in the area prefer a higher level of water in the pond. She did point out that when there is a high water event the board comes off. During the latest flood the board came off on May 11<sup>th</sup>.

Vic Lessard came to clarify a previous remark from Shane Pine. He said that in 1996 the house they were working on along the Taylor River got flooded out. He said that he went down and cleaned out the house not the debris out of the culvert. At the time he was told by the State that trees had fallen and blocked the culvert.

Mr. Boynton is please that the State has a plan to improve the culvert capacity in 2010 but would like to see the construction start earlier. Mr. Boynton stated that he noticed all sorts of lights and noise near the culvert on I95 on Sunday, May 14<sup>th</sup> and then on Monday morning the water went down significantly. He has no doubts that the culverts are too small and that there was a reason for the water to go down so quickly. He suggested that the culvert was plugged and it cleared on its own. Mr. Hansen said that he and his crew started working at approximately 7pm on Sunday, May 14<sup>th</sup> placing cones in the along I95 breakdown lane which was flooded over. This work continued into the night in attempt to slow traffic down. He also noted that Taylor River tends to come up and lowering quickly. Mr. Goodwin said that it is possible that there was debris logged in the culvert and it freed itself, they just don't have a definite answer to what happened.

### **III. MINUTES – JUNE 19, 2006**

The June 19, 2006 minutes stand as read.

### **IV. OLD BUSINESS**

#### **1. TOWN MANAGER'S REPORT**

On July 17 at 7pm the department heads and the Board of Selectmen will be meeting for a round table workshop discussion. The heads will work toward budget proposals that are consistent with the Selectmen goals and policies. We suggest that this meeting be held at the Police Training Room so that it can be conducted as a "round table" discussion.

The Capital Improvement Plan Committee held its organizational meeting on Tuesday, June 20. Town departmental requests are scheduled to be discussed on July 25. Planning Board Chairman Tracy Emerick brought in a form he had developed as a standard format for requests for inclusion in the CIP.

Mr. Barrington and appropriate department heads had a utility coordination meeting with Verizon and Unitil regarding the removal of the old poles at the beach. Verizon has pulled out of the beach area for the summer and expects work to resume in September, following the Seafood Festival, and be finished by Christmas.

Dick White reports that the Winnacunnet High School (WHS) Board has approved a contract with Durell Paving, Inc. for the spur road. The WHS still needs to sign a contract with Durell before starting the project with a Pre-Construction Meeting.

The rainy weather is preventing paving progress. There is no way that the paving will be completed before the end of June. Depending on the weather, they will be working on it as soon as they can; however they will not be working on July 3 during the holiday weekend. Last Friday, Mr. Barrington signed a no-cost contract extension on the Beach Infrastructure project until July 28, 2006. He also signed a no-cost contract extension on the King's Highway contract until August 25, 2006. The extension on the Infrastructure is strictly due to the

weather, and the King's Highway extension is a combination of weather and north end completion. Discussions with DES has begun regarding the sewer line correction at the north end of King's Highway near High Street.

Mr. Barrington received a request for a 4-way stop at the intersection of Concord and River. A public hearing would need to schedule for the ordinance to be changed.

On the question of the grant revenue that Selectman Moore mentioned a couple of weeks ago, we are still making progress on digging out the history. It appears at this time that the funds received were related to several separate Homeland Security grants that were all billed and paid at the same time. It looks as though there were public hearings to accept them, but we are still making sure our reconciliation is complete. On the issue of the public hearing for the pier (from Golden Corridor and NOAA), we did hold a public hearing on both grants in December of 2004.

On the legal front, we received an order from Judge McHugh in the *Keer v. Holt* suit that awards attorney's fees in the full amount we sought of \$2,709 to the Town (against the Keers) with a due date of August 15. In a separate order, Judge McHugh granted temporary relief to the Town in the *Elmwood Corners* case, in which he ordered no lot development, road construction, or interference with the tree in question, pending final hearing which is not yet scheduled.

Randy Radkay with the Department of Transportation submitted a driveway permit for #703 Ocean Boulevard. There is a 30 day comment period and in most cases the Board does not reply. In this circumstance the property owners would like to proceed as early as possible with the driveway construction and would appreciate a response as soon as possible.

### **SELECTMEN'S RESPONSE TO THE TOWN MANAGER'S REPORT**

Mr. Moore is supportive of the roundtable discussions on July 17<sup>th</sup> at the Police Department. He would also like to see the request for a 4-way stop at the intersection of Concord and River reviewed by the Highway Safety Committee before amending the ordinance. Mr. Moore inquired about the status of the construction on Drakeside Road. Mr. Barrington said that there have been some test pits done and he will report back on the preliminary findings.

Mr. Griffin asked about the Kings Highway situation and when an update on the project would be available. Mr. Barrington said that there should be correspondence within the next couple of weeks. There is a section of pipe at the extreme north end that needs to be redone. That portion will be paid for by Zoppo. There is another section that is in dispute as to what needs to be done. An appeal for a waiver will need to be filed with the State. If it is not accepted by the State there will be further discussion in regard to who pays.

## 2 – LOADING ZONES AND PARKING REGULATIONS ALONG THE LETTERED STREETS SOUTH OF D STREET – PROPOSED ORDINANCE CHANGES

### ARTICLE 5

#### PARKING REGULATIONS

##### **Sec. 3:507** NO PARKING

It shall be unlawful for any person having the custody or control of any vehicle to park or cause the same to be parked within the following areas when designated by "NO PARKING" signs:

**F Street** - SOUTH side in its entirety. NORTH SIDE *in its entirety.*—adjacent to exit door of Funarama  
(BofS7/28/03)

**G Street** - From ASHWORTH AVENUE EAST to the first driveway on the SOUTHERLY side of the street.  
*NORTH side in its entirety.*

**H Street** – *SOUTH side in its entirety.*

**I Street** – *NORTH side in its entirety.*

**J Street** – *NORTH side in its entirety.*

**K Street** – *SOUTH side in its entirety and NORTH side from Ocean Boulevard WESTERLY for a distance of 200 feet as designated by signs.*

**L Street** – *NORTH side in its entirety.*

**M Street** – *SOUTH side in its entirety.*

**N Street** - On the NORTH SIDE *in its entirety*, beginning at a point 100' EAST of ASHWORTH AVENUE.  
(BofS-7/5/83)

**O Street** – *SOUTH side in its entirety.*

**P Street** - On pavement SOUTH SIDE. *NORTH side in its entirety.*

**Q Street** - On pavement NORTH SIDE *in its entirety.*

**River Avenue** - EAST SIDE from DOVER AVENUE to OCEAN BOULEVARD.

##### **Sec. 3:507B** Loading Zones

NO PARKING except for LOADING and UNLOADING - 20 minute limit from MAY 1st to SEPTEMBER 30th.  
(BofS-7/5/83)

**F Street** - From the corner of OCEAN BOULEVARD on NORTH SIDE, RUNNING 40' westerly, as designated by signs. (BofS-5/21/79) SOUTH SIDE – adjacent to Funarama (1/28/03)

~~**G Street** - From the corner of OCEAN BOULEVARD on NORTH SIDE, running 100' WESTERLY, as designated by signs. (BofS-6/11/79)  
NORTH SIDE, between Numbers 10 and 12 for a distance of 25', as designated by signs. (BofS-7/28/81)~~

**H Street** - Two (2) parking spaces in front of Number 12 (Milton House), as designated by signs. (BofS-7/28/78) From Ocean Boulevard west for 30' from the No Parking Zone, north side. (Board of Selectmen 8/99) From the end of NO PARKING HERE TO CORNER zone for a distance of 50', as designated by signs. (BofS-5/14/79)  
From the INTERSECTION of ASHWORTH AVENUE and H STREET on the NORTHERLY SIDE, a distance of 109' EASTERLY, as designated by signs. (BofS-7/16/79)

~~**I Street** - In front of Number 12. On the NORTHERLY SIDE, beginning at a point 70' WESTERLY of OCEAN BOULEVARD and ending 80' WESTERLY of OCEAN BOULEVARD, as designated by signs.  
\_\_\_\_\_ (BofS-8/18/81)~~

~~**J Street** - Two existing parking spaces in front of Number 5.  
On the NORTHERLY SIDE, beginning at a point 20' WESTERLY of OCEAN BOULEVARD and ending 100' WESTERLY of OCEAN BOULEVARD, as designated by signs.  
(BofS-6/1/87)~~

~~**K Street** - SOUTH SIDE from OCEAN BOULEVARD WESTERLY a distance  
\_\_\_\_\_ of 140', as designated by signs.~~

***K Street** - SOUTH SIDE from a point 80 feet west of OCEAN BOULEVARD WESTERLY a distance of 70', as designated by signs.*

**L Street** - SOUTH SIDE from the existing NO PARKING area at OCEAN BOULEVARD, WESTERLY to the end of the SURFSIDE CHALET.

**Mr. Lally MOTIONED** to accept Article 5, Sec. 3:507 - No Parking regulations as presented above with the distance of 200 feet for K Street as designated by signs and to accept Sec. 3:507B Loading Zones as presented above. **Mr. Workman SECONDED.**

**VOTE: UNANIMOUS FOR**

Mr. Barrington noted that the citizen petition regarding parking and loading zones has been reviewed by Attorney Gearreald. He has advised that the petition has no bearing as it references zoning articles which have nothing to do with warrant articles and the governing body has full authority to regulate streets.

### **3 – \$600 D.W.I SATURATION PATROL – HIGHWAY SAFETY AGENCY**

**Mr. Workman MOTIONED** to accept the D.W.I. Saturation Patrol, Highway Safety Agency \$600 grant. **Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

### **OTHER OLD BUSINESS**

The Appropriation Oversight Committee will be submitting their report before July 1. It was suggested that the Committee come before the Board on July 10<sup>th</sup> to answer any questions.

Mr. Workman inquired about the school payout. Mr. Barrington will get the numbers.

Mr. Griffin announced that many business owners in the beach area collected funds to purchase a fridge for the library to be used by the seniors.

### **V. NEW BUSINESS**

The Board will be meeting next Monday, July 3 at 6pm with the Town Attorney in a non-meeting to discuss proceeding with the search for a new Town Manger.

Last Saturday, Mr. Lally met with several home owners along Harris Avenue regarding flooding along the street. Since the street was paved last year drainage has become a problem in the area. Residents of the street need the paving issue to be remedied. Mr. Lally would like to see drainage improvements included in the 2007 budget.

The Board noted that the crosswalks along Ocean Boulevard and in the beach area are in a poor state (unmarked) and need to be remedied. Mr. Barrington will contact the State to find out the status of the crosswalks are.

Elizabeth Aykroyd submitted a report on the Public Forum on the future use of the old grammar school/courthouse. The Board will consider the results and recommendation resulting from the forum.

The Director of Public Works, John Hangen recommended that the weekend transfer station hours stay as they are. He also noted that the Town is already over budget and any additional hours would cost a significant amount of money in overtime expenses.

### **VI. CONSENT AGENDA**

1. Block Party Request
2. Cemetery Deed
3. Cystic Fibrosis Foundation Request

**Mr. Workman MOTIONED** to accept the consent agenda as presented. **Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

**VII. - PUBLIC COMMENTS**

Vic Lessard mentioned that he met with Hannaford's regarding their pond overflowing in heavy rains and flooding his property. He would like this issue resolved and not forgotten after Mr. Barrington leaves. Mr. Lessard also discussed the construction along the Kings Highway.

Mark Defeo (#8 Hickory Lane) would like to see the Taylor River water level maintained and believes that the board on the fish ladder needs to be lifted earlier in a flood event.

**VIII. - CLOSING COMMENTS:**

Chairman Bridle-Russell noted that Jane Cypher is the new Deputy Town Clerk.

**Mr. Workman MOTIONED** to approve the hiring of the new Deputy Town Clerk, Jane Cypher. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

Mr. Moore reported that there are over 400 unpaid dog licenses and encouraged residents to pay or notify the Town Clerk's office if the dog has died.

Mr. Moore commented on the drainage issues and questioned if the capital reserve fund could be used.

**VI. ADJOURNMENT**

**Mr. Workman MOTIONED** to adjourn the meeting at 9:05 PM. **Mr. Griffin SECONDED.**

**VOTE: UNANIMOUS FOR**

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Chairman