

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
July 24, 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.

CREATION OF A 45 FOOT LOADING ZONE ON THE SOUTH SIDE, EASTERLY END OF P STREET

The owner of Patriots Corner Grocery Store, Owen Carter discussed having a loading zone placed in front of his property as part of the beach infrastructure project. However, his request was forgotten during the recent amendment to the ordinance.

Mr. Griffin MOTIONED to create a 45 foot loading zone on the south side, easterly end of P Street. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

DESIGNATION AS A FOUR WAY STOP OF THE INTERSECTION OF CONCORD AVENUE. AND RIVER RD.

A resident in the area spoke in favor of the proposed amendment. He believes that the corner is a safety hazard. He also suggested that a white stop line and the word "STOP" be painted on the road.

Mr. Moore MOTIONED to designate a four way stop at the intersection of Concord Avenue and River Road. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

PLACEMENT OF STOP SIGN AT THE CORNER OF HIGHLAND AVENUE AND BROWN AVENUE.

Mr. Griffin MOTIONED to place a stop sign at the corner of Highland Avenue and Brown Avenue. **Mr. Moore SECONDED.**

VOTE: UNANIMOUS FOR

**ACCEPTANCE UNDER RSA 41:14-A OF A SIDEWALK & PARKING EASEMENT AT 428 LAFAYETTE RD.
(THE FIRST OF TWO REQUIRED PUBLIC HEARINGS)**

Vic Lessard spoke in favor of the proposed easement.

The second public hearing will be held on August 7th.

Chairman Virginia Bridle-Russell called the meeting to order at 7:45 pm and introduced those in attendance.

SALUTE TO THE FLAG

A local Boy Scout troop lead the salute to the flag.

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Moore noted that there will be a concert at the Gazebo (Lafayette Road) Saturday, July 29. On September 2, the Hampton Historical Society will be hosting a Southern Style Pig Roast.

Mr. Barrington announced the streets that Aquarion will be shutting the water off on July 25 for a six hour duration.

A Farewell Texas Barbeque will be held in honor of Mr. Barrington on August 20th from 1 to 5pm. Tickets are \$20.

II. APPOINTMENTS

1 – TOM BASSETT – DRAINAGE ISSUE ALONG GENTIAN ROAD

Tom Bassett came before the Board representing his neighborhood. Mr. Bassett along with his neighbors are concerned about their homes along Gentian Road. The street has poor drainage and floods almost every time it rains. This constrains residents' mobility and poses a health concern with the stagnant water becoming infested with bacteria and a breeding ground for mosquitoes. In the wintertime the water freezes and creates very icy conditions. The residents in the area are frustrated that there is improper drainage and do not understand why the Town has not done anything to rectify the problem.

After Zoppo unplugged the drains last Thursday water started to move more freely. Mr. Bassett believes that the reason why the area has problems with flooding is because the drains have not been properly maintained and repaired. Mr. Bassett urged the Board of Selectmen to fund a drainage improvement project along Gentian Road.

The Board agreed that Gentian Road and many other roads in Hampton require drainage solutions. To ensure funding for a drainage project along Gentian Road a Board or petitioned warrant article would be required. The Public Works department would need to be consulted to verify an appropriate cost involved in the project.

Public Works Director, John Hangen also agrees that flooding in the area is very serious. He said that there are too many developments in the area impacting the wetlands and as a result recreating the water flow. He mentioned that the area has been plagued with flooding as long as he can remember. Mr. Hangen explained that projects have been planned in the past however; as a result of the default budget crisis it was cut. Mr. Hangen also noted that the state will need to be involved with many aspects of the requested project.

Bill Joyce (#4 Gentain Road) stated that he raised his house 12 feet and water still comes into his yard. He also believes that it is the grade of the road that causes flood problems.

June Black said that her home has been in her family for 42 years and they raised the house in attempt to fix the flooding problem. She suggested that funding be sought through FEMA's Hazard Mitigation Grant program.

Lee Holton-Davis has lived in the area for 11 years and has had a lot of problems with her home being flooded. One of her concerns is the bacteria levels in the stagnant flood water. She also believes that the back flow of water has been worse along the area since the new sewer system has been put in.

Paula Barns agrees that the flooding has become worse since the sewer project. She is concerned about the odor, bacteria and mosquitoes that are a result of the flooded water. Ms. Barns believes that no one at the Town level likes to listen to the people in the area. Like many of her neighbors she believes that the roadways were never properly graded.

Joe Labranche concurs with his neighbors in the area.

Maxine Gerald said that at least one day every year she is not able to go to work because she cannot get her car out of the water. She believes that basic maintenance to the drainage system needs to be done.

Bill Burns (8 Gentain Road) agrees with his neighbors and has witnessed the effect that high tide has in the area

Carol Spinale is concerned about the drainage problem and believes that there are two sets of rules for developers and for the rest of the people in the area. She believes that the developments are uncontrolled and causing problems for neighbors in the area and that the Town is not communicating with the state regarding this issue. She also thinks that there may be FEMA funding available to support the project.

2 – TED GUTHRIE – BOSTON AVENUE PARKING

The owner of 20 Boston Avenue Ted Guthrie came before the Board to request a temporary amendment to the ordinance. For over 10 years renters of his property have angle parked with part of their vehicles on Town property. Parking in this fashion is a violation of the current Town ordinance and Mr. Guthrie's neighbor has brought this to the attention of the police department. Mr. Guthrie's property does not offer enough parking spaces and to remedy the limited parking situation he will need to raise the building up to put a parking garage underneath. Until he is able to do that he requires parking for his tenant's on part of his property and the Town's. Mr. Guthrie noted there is little pedestrian traffic in the area and that his request is for a finite time period.

The Board would like the Police Chief Sullivan and Fire Chief Lipe to review the situation and provide a report to the Board on their findings.

Mr. Workman MOTIONED to schedule a public hearing for the proposed angle parking in connection with #20 Boston Avenue on August 7 at 7pm. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

3 – LINDA GEBHART – LIQUOR LICENSE & PARKING

Linda Gebhart thanked Mr. Barrington for sending a letter to the Liquor Commission addressing the concerns of The Yacht Club at Waters Edge, LLC receiving a liquor license. Mrs. Gebhart provided copies of the Zoning Board of Adjustment and Planning Board minutes which appeared to indicate that there would be no restaurant or bar on the premises. She had attended every meeting that dealt with the condo / marina from its conception. It was Mrs. Gebhart's understanding the Yacht Club was to be a private establishment. She has also observed drunken behavior from people frequenting the Club. Mrs. Gebhart noted that by not enforcing the many code violations makes a mockery of the Hampton Zoning and Planning Board.

Mr. Moore inquired if there was a special permit to operate a restaurant.

Mark Maynard addressed the Board. He stated that he does not operate a restaurant; rather he has a kitchen that may be utilized by the patrons. He does have a food license and does sell food to the members. Currently the club operates with a "byob" policy but to have more control over the amount of alcohol consumed a liquor license is required. The club also hosts private parties and weddings (not in July or August) to members only.

It was determined that the definition of a restaurant and bar needs to be clarified.

Mr. Thibeault has been working on the condo development with Mark Maynard. He noted that there was a long process of approvals which started back in 2002. He is supportive of a liquor license rather than "byob" to control alcohol consumption.

4 – VIC LESSARD – OLD TOWN HALL COMMITTEE REPORT

Vic Lessard and Maurice Friedman (the other member of the committee Jack Lessard was not able to attend) addressed the Board with their recommendations on future uses of the Old Town Hall.

Mr. Friedman stated that the structure is sound and that only part of the roof needs to be repaired. The location is very suitable for a senior center, town office and space for youth functions. Mr. Friedman noted that there would be a need for a basic code elevator as well as a kitchen and bathrooms. Mr. Friedman stated that it is likely that the expenses for the repairs would cost approximately \$300,000. He believes the repairs would be worth pursuing and suggested using volunteers to work on the project and to seek grants to financially support the project.

Mr. Lessard said that the use of the building and the expected duration of use will need to be determined before proceeding. He said that there are many parts of the building that are in very good condition. He expects that the building could be repaired for approximately \$150,000 to be used as a senior center or \$31,000 for additional office space. He suggested that perhaps the recreation department and the senior center could share the space. Mr. Lessard does not want to see the Town spend money on patching the building and then having

to go back to the voters for additional funding. Mr. Lessard suggested that there are many small contractors in Hampton that could help with the repairs.

Mr. Griffin said that perhaps local businesses could donate materials to make the senior center a reality.

Mr. Moore noted that at the Deliberative Session there was discussion on the possibility of the uptown fire station expanding and questioned if creating a permanent structure would adversely impact the expansion plans. He agrees that this is a great location for the proposed uses and would also like to see the courthouse saved. Mr. Lessard suggested that the new station could be built back of the current fire station. He also suggest that the library could be moved into the current town hall so that the center space could be utilized.

The Board agreed that something needs to be done with the vacant buildings and a master plan needs to be established for the area. Mr. Workman would like to see the space shared and properly renovated so that it does not cost more in the long run. Mrs. Bridle-Russell noted that grants are available for youth centers as well.

5 - CAROL DURANT – DRAKESIDE ROAD – CONDITION OF ROAD AND DAMAGE TO CARS

Not present.

III. MINUTES – JULY 10 & 17, 2006

The July 10th minutes stand as read.

The minutes of July 17th require the following amendments: Page 1 - add Michael Schwotzer to those in attendance. Page 4 – second paragraph from the bottom last sentence. Mr. Moore also suggested a reserve fund for retiree liability.

IV. OLD BUSINESS

1. TOWN MANAGER’S REPORT

ISO rating – Fire Chief Hank Lipe met with the Insurance Services Organization representatives this week to begin the decennial review of the Town’s fire protection rating.

A meeting has been scheduled with Jane Hubbard on the updates to the Emergency Operations Plan next week. It is expected that a draft will be available for the Board by August 21, when Jane will be available to discuss the changes with the Board.

Hampton Falls Town Administrator Eric Small came to see the Town Manager this week about the specifics of the agreement between the two towns for fire dispatching. He and Mr. Barrington are developing a draft MOA for the two Boards of Selectmen to sign that clears up the details of which CPI index is to be used in the computation of the annual adjustment to the cost of the dispatching agreement.

Police Chief Jamie Sullivan reported that we need to replace one of the mounted patrol horses. We acquired "Sam" a year or two ago and he has not responded adequately to our training program. While he has been used in light duty we are not confident in his ability to move to the next level of training for the more intensive types of duty needed of the horses in our unit. Sam has never been accepted by the Town and will be returned. The horse that has been identified as the best candidate from those available to fill our needs comes at a cost of \$9,000. The Hampton Mounted Patrol, a non-profit organization, can afford \$5,000, and they are asking the Town to pay the remaining \$4,000 balance.

Attorney Mark Gearreald and Mr. Barrington met with representatives of Hannaford today to hear about their plans for work on their retention pond and about their concerns about the overall drainage situation.

For the next couple of weeks there will be disruptions around the front entrance, especially from the east side of the building. A drainage pipe will be installed to connect to the perimeter drain around the elevator pit to allow the water to gravity flow away from the building. It will run across Winnacunnet Road and the Centre School grounds to connect with Town Hall's drainage system south of the school.

The spur road work is about to commence, Mr. Barrington discussed with Superintendent Gaylord the relocation of the tree that was planted on the small triangle by Hampton Academy students in memory of September 11. The tree will be relocated at the school's expense. We are expecting the road work to begin on Wednesday this week.

Recreation and Parks Director Dyana Martin asked if the Board would object to the use of the approximately \$1,800 remaining funds from the past Founder's Day celebrations to help defray the costs of the Summer Fest.

BOARD'S RESPONSE TO THE MANAGER'S REPORT

Mr. Workman consents to using the \$1,800 remaining funds from the past Founder's Day celebration to help defray the costs of the Summer Festival. Mrs. Bridle-Russell requested that the every committee member has been asked their opinion before using the money.

Mr. Workman asked if the police department can manage without the additional patrol horse. Mr. Barrington suggested that Chief Sullivan should respond to the question.

2 – DISCRETIONARY PRESERVATION EASEMENT AGREEMENT

Town Attorney Gearreald presented the discretionary preservation easement agreement that was approved at the July 10th for signing.

3 – ACTION ON THE PUBLIC FORUM ON FUTURE USE OF OLD GRAMMAR SCHOOL / COURTHOUSE

It was determined that there are many potential uses for the former courthouse and until a plan has been developed to address the need for space the Board will wait to make a decision. There is a lot of competition for the space and it was suggested that the Recreation Department Director develop a report on the needs of seniors and youth.

4 – WELFARE CLERK

There have been some qualified people that have applied for the position but they have all stated that they require fulltime employment with benefits. There is an experienced and educated candidate who is interested in the position for \$18 an hour with dental, retirement and vacation time. The potential candidate does not require health insurance. Mr. Barrington requires authorization to pay more in order to hire a qualified welfare clerk. It is a union position that Mr. Barrington has discussed it with the Teamsters. The position would need to be redefined and reclassified as a Welfare Officer.

Attorney Gearreald discussed the legal liability connected with welfare in New Hampshire. The position requires a professional approach and the ability to follow state laws and guidelines. In addition an experienced Welfare Officer can provide cost savings to the Town and focus on recovery from relatives.

Many of the Board members had an issue with the significant increase in salary but recognized that legal importance and demand of the job. Since all departments are at their maximum capacity it was suggested that the position be combined to assist with other duties within the town hall.

Mr. Lally MOTIONED to pay \$16 an hour for a fulltime Welfare position with full benefits. **Mr. Griffin SECONDED.**

**VOTE: 4 FOR
1 OPPOSED - Workman**

OTHER OLD BUSINESS

Mr. Griffin commented on the amount of trash in the Sunvalley and beach area. He is concerned that the cleanup crews were not cleaning properly. He is also concerned about garbage overflowing from the trashcans along Ocean Boulevard.

V. NEW BUSINESS

Mr. Lally inquired about resident parking permit stickers being issued to out of state vehicles. Mr. Barrington informed him that all taxpayers are entitled to a sticker.

Mrs. Bridle-Russell mentioned that there is a drainage problem along P Street. She also mentioned that there is a resident along P Street who is placing a handicap sign on her home to act as a deterrent for other people looking for parking. Mr. Barrington does not believe that the signs have any authority and cannot be enforced.

VI. CONSENT AGENDA

1. Quilt raffle
2. Land Lease
3. Parade License(s)
4. Entertainment Permit
5. Nursing Home Request Forms
6. Farewell Barbeque for Town Manager

Mr. Griffin MOTIONED to approve the consent agenda as presented. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

DISCUSSION:

The Palm's Nightclub will require a punch list from the building inspector and from the fire inspector as a condition to the entertainment permit being issued.

VII. - PUBLIC COMMENTS

Chief Sullivan said that the additional \$4,000 for the patrol horse was authorized by the voters through town vote.

Mr. Workman MOTIONED to approve the use of town property for Mr. Barrington's farewell party. **Mr. Moore SECONDED.**

VOTE: UNANIMOUS FOR

Vic Lessard discussed the condition of Drakeside road.

John Gebhart addressed his concerns with The Yacht Club at Waters Edge, LLC receiving a liquor license.

VIII. - CLOSING COMMENTS:

None

VI. ADJOURNMENT

Mr. Moore MOTIONED to adjourn the meeting at 11:41 PM. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

Chairman