

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
FEBRUARY 19, 2007 – 7:00 PM**

PRESENT: Virginia Russell-Russell, Chairman
Ben Moore, Vice-Chairman
Rick Griffin
James Workman
Bill Lally
Mark Gearreald, Interim Town Manager
Maureen Duffy, Administrative Assistant

REGRETS:

Chairman Virginia Bridle-Russell called the meeting to order at 7PM.

SALUTE TO THE FLAG

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Lally extended “get well” wishes to former Police Sergeant Bob Towler, who suffered a heart attack on February 14. Hampton paramedics transported Mr. Towler during the snowstorm to the Portsmouth Regional Hospital. Mr. Towler has been released from the hospital and is home recovering.

II. APPOINTMENTS

1. FIRE CHIEF LIPE, POLICE CHIEF SULLIVAN AND PUBLIC WORKS DIRECTOR HANGEN – FEBRUARY 14TH FIRE

Chairman Bridle-Russell expressed her heartfelt thanks for the work that the departments did during the February 14th fire along Hampton Beach (White Island Area).

Chief Sullivan commended Hampton police officers and firefighters for their efforts while combating the fierce fire that engulfed five summer homes last Wednesday. The crews fought the fire in the midst of a brutal snow storm that swept across the seacoast. The Police Chief is very proud of the work accomplished and the number of homes that were saved in light of the severe weather conditions (i.e. high winds and extreme cold).

The support of the community is greatly appreciated by Chief Lipe. He expressed his gratitude and pride in the unified efforts of the Fire, Police and Public Works departments. Although five homes were destroyed by the fire, the collaborative efforts of the departments enabled firefighters to save many other homes that were in harms way. Chief Lipe emphasized the importance of the many training hours his staff does in preparation of similar scenarios to ensure successful outcomes.

Deputy Fire Chief of Operations Steve Benotti noted that there were 19 ambulance calls during the February 14th snowstorm. He is very proud of the Hampton paramedics' ensuring transport and quality care to hospitals. It was apparent from the results of the day that the aggressive training regimen that all emergency staff participate in benefited many Hampton residents.

Public Works Director John Hangen felt that the three departments worked efficiently together. He also reported that one of the snowplows was out of commission that day. Public Works staff worked hard to keep the area clear of snow drifts and was able to detour traffic in other directions. Mr. Hangen also reported that many curious spectators came out to see the fire and ended up getting stuck.

Deputy Benotti was Commander of Operations during the fire, enabling Chief Lipe to evacuate the residents in the area. Deputy Fire Chief of Safety & Training Chris Silver also assisted in the operation as the Safety Officer. The efforts of the entire force and mutual aid resulted in a much better outcome than first thought.

Mr. Gearreald also noted that three additional firefighters were on duty that day. Mr. Benotti explained that the Fire Department scheduled extra people in anticipation of the forecasted snowstorm. The additional firefighters proved to make a big difference in combating the blaze.

Chief Lipe thanked the Board for their diligent and responsible budgeting efforts. He emphasized that it is trained and prepared staff that make the difference in the outcomes of major fires.

Mr. Lally noted that the Board must focus and proceed with building a new beach fire station.

Mr. Moore asked if the cause of the fire has been determined and if the ladder truck was engaged. Chief Lipe said that the cause has yet to be determined. Mr. Benotti said that the ladder truck was there and that the tools were used off of it. The aerial ladder was not extended as there were not tall enough buildings involved in the fire, and the fire was necessarily fought from ground level due to the extreme wind and cold conditions.

Mr. Griffin commented on a job well done and the number of people who were out driving around in the storm to view the fire.

2. FINANCE DIRECTOR SCHWOTZER – 2006 AUDIT

Mr. Schwotzer is ill and will present the audit at a later date. Mrs. Bridle-Russell thanked the Finance Director for providing the Board with a summary of the audit.

3. ED MACDONALD

Mr. MacDonald came before the Board to request they change the Beach Infrastructure on-site sewer connection policy. Last October he sent an email to the Board of Selectmen describing what he believed to be unfair and unequal treatment. That is, he claimed that some properties were connected by Zoppo at the Town's expense, while others were not. Mr. MacDonald said that Chairman Bridle-Russell responded to his email asking about specific information regarding who had been connected at the Town's expense. He responded by providing what information he had at the time and indicated that more accurate information should be available through Mr. Hangen. Mr. MacDonald said that the Selectmen instructed Mr. Hangen to notify all property owners who still need to tie into the sewer before July 1, 2007. He also stated that Fay, Spofford and Thorndike

(FST) should be able to provide the amount paid to Zoppo for service connections that have already been made. At the time of the email he informed Chairman Bridle-Russell that Zoppo had been awarded an extra work order in the amount of \$17,700 to connect the drugstore (located next to the Boardwalk Café) to the new sewer along F Street. Mr. MacDonald also claimed that records supported that Zoppo was paid extra to connect the sewer to the Drift Motel at the corner of Concord Avenue. He also mentioned that property owners along Kings Highway did not have to pay to be connected.

Mr. MacDonald believes that the Town should pay for all of the connections. In his email to the Selectmen requesting this appointment he provide legal citations from court cases involving eminent domain. Within the email he concluded by saying he requests that the Town deals with the policy in a fair and equitable manner and reimburse property owners for the cost of connecting to the sewer.

Mr. MacDonald asked when the Board may consider changing their policy. Chairman Bridle-Russell said that the Board will be discussing the matter and will have an answer in three to four weeks.

III. MINUTES – FEBRUARY 12, 2007

Page 2 – last paragraph, first sentence – change to read as follows: “It was noted that Northern Utilities is not currently in the process of relocating lines and that the only lines of concern would be Town sewer lines and Aquarion water lines.”

The February 12, 2007 minutes stand as corrected.

IV. OLD BUSINESS

1. INTERIM TOWN MANAGER’S REPORT

After the White’s Island fire Mr. Gearreald conferred with the Heads of all three of our Fire, Police and Public Works Departments regarding their perspectives and requested that they come before the Board to discuss the event in greater detail. There is a lot to be thankful for and to be proud of as to the performance of our employees in knocking down the fire and controlling its spread.

Unlike many other towns, the Hampton town office opened on Wednesday, February 14, 2007. However, in the face of high wind warnings and sleet scheduled to start at 1:30PM in addition to the snow, Mr. Gearreald was advised by our public safety personnel to close the office at 1PM. Mr. Gearreald also toured some of the streets in John Hangen’s plow truck to get a view on the ground before making this call. Paul Paquette posted this closure on our website.

The closing of the Woodland Road Ice Pond property has been postponed from February 15, 2007 to March 1, 2007 to allow additional time for deed preparation on the part of the seller’s attorney. The necessary boundary line adjustment has been approved by the Planning Board.

Mr. Gearreald approved the recommendation of Fire Chief Hank Lipe to hire Dave Sherwood of Merrimac, Massachusetts to fill the firefighter vacancy created by the retirement of George James. Dave is scheduled to start with us on March 5, fulfilling a life long dream of becoming a paramedic/firefighter. Dave is presently an on call firefighter/EMT for the Merrimac, Massachusetts Fire Department and is a volunteer coach for two youth

soccer teams each spring and fall. Dave is a 1989 graduate of the Whittier Vocational Technical High School and serves on that school's Advisory Board.

On Tuesday, Mr. Gearreald attended and testified at the Senate Committee hearing in Concord concerning Senator Martha Fuller Clark's bill regarding funding for site acquisition for the combined Exeter Hampton District Court. All who testified spoke in favor of this bill, including Exeter Town Manager Russ Dean and Police Chief Rich Kane.

Mr. Gearreald requested that the Board meet in a nonpublic meeting regarding a personnel matter and in a non-meeting.

BOARD'S RESPONSE TO THE MANAGER'S REPORT

Mr. Lally MOTIONED to have a nonpublic session regarding personnel under RSA 91a:3,II-(a) immediately following tonight's Selectmen's meeting. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Mr. Lally MOTIONED to sign the Plan NH Charrette Program letter of support. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

OTHER OLD BUSINESS

Mr. Moore discussed the summary that was provided to the Board regarding the \$108,000 that was paid by the Town for the Beach Infrastructure project. Approximately \$34,000 was bond related and approximately \$73,000 for private detail. Anyone interested in the details may receive a copy at the Finance Department.

Mr. Moore said that he has a couple of volunteers interested in serving on the Ad Hoc Committee to develop an accurate comparison of Hampton's spending in comparison to other NH towns/cities of relevant size. The group will be meeting in the near future to begin strategizing.

Mrs. Bridle-Russell received a phone call from a resident concerned about sidewalk snow removal. The Director of Public Works, John Hangen noted that the Department works hard to clear the sidewalks as quickly as possible during and after a snowstorm.

V. NEW BUSINESS

1. APPOINTMENT OF POLICE CHIEF SULLIVAN AS DEPUTY EMERGENCY MANAGEMENT DIRECTOR

Mr. Moore MOTIONED to appoint Police Chief Sullivan as Deputy Emergency Management Director. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

2. AUTHORIZATION TO SIGN FEDERAL EQUITABLE SHARING AGREEMENT, FEDERAL ANNUAL CERTIFICATION REPORT

Mr. Lally MOTIONED to authorize Chairman Bridle-Russell to sign the Federal Equitable Sharing Agreement as well as the 2005 and 2006 Federal Annual Certification Report. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

3. APPOINT FAIR HEARING OFFICER(S)

The Town Welfare office has received a request for a fair hearing. Under state law and in accordance with Town ordinances the officer may be selected by the Town Manager or the Chairman of the Board.

Mr. Moore MOTIONED to nominate Tom Gillick as the Welfare Fair Hearing Officer. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

VI. CONSENT AGENDA

1. PLAN NH CHARRETTE PROGRAM – LETTER OF SUPPORT

Motion made regarding letter during the Board's response to the Town Manager's report.

VII PUBLIC COMMENTS

Vic Lessard congratulated the crews who worked hard to protect many homes in the White Island area during the February 14th fire. He is concerned about the homeowners who lost their summer cottages from the fire and will likely want to rebuild. Mr. Lessard believes that there are setbacks in that area and it is unlikely that they will be able to rebuild in a similar manner. He would like to see the homeowners notified as soon as possible to make them aware of the situation. Mr. Lessard also discussed the sewer connection policy that Mr. MacDonald had previously presented to the Board early in the meeting. He does not support design build contracts and hopes that the Town does not consider this as an option in the future. He is also concerned that the Town will not have enough money to complete the infrastructure along the west side streets. Mr. Lessard also believes that it was a very good idea to have FST come before the Board to discuss the west side street construction. He would also like the Board to look into Diana Lamontagne's issue that she is having with the sewer connection.

VIII. CLOSING COMMENTS:

Mr. Moore noted that there is a mechanism in place to ensure that the Town does not go over budget with the west side street construction project.

Mr. Hangen stated that the pros and cons of design build projects can endlessly be debated. Hampton Beach has a complex underground with challenging soil types and utility lines creating a potential for problems

resulting in multiple change orders. Considering the circumstances, Mr. Hangen believes that Zoppo did a good job installing the new sewers, streets and sidewalks.

Richard Nichols presented the Board with a spreadsheet that was originally provided to him by a Right-to-Know law request many years ago, comparing the bids of all companies who bid on the Beach Infrastructure Project. He said that under optional items, police detail is included in the quote, consisting of 60 days of police officer time and 20 days of police cruiser time. Based on what Zoppo specified in their bid, Mr. Nichols believes that the cost of police detail should have totaled less than \$20,000. Mr. Nichols asked who was managing the police details if it was not FST and how the total from Zoppo's original projected expenditures went from \$20,000 to \$73,000.

Vic Lessard noted that it was not his intention to debate design build projects. He thinks Zoppo did a great job with the Beach Infrastructure project and said that he is very familiar with the underground utilities as his company has had the unfortunate experience of digging up unmarked pipes. He wishes that the Town would have a large enough budget to ensure project completion.

iX. ADJOURNMENT

Mr. Moore MOTIONED to adjourn at 8:00PM to a nonpublic session. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

Chairman