

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
MAY 21, 2007 – 7:00 PM**

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

REGRETS:

Chairman Moore called the meeting to order at 7:00PM

SALUTE TO THE FLAG

Chairman Moore noted that the Selectmen viewed 13 G Street prior to the meeting. The viewing was conducted in accordance with RSA 231:75 regarding the property owners claim for damages from a road grade change. The deliberation of the claim was scheduled for tonight's meeting but will be postponed until June 18th for a variety of reasons with the agreement of the claimant and counsel.

HAMPTON RIVER BRIDGE REPLACEMENT TASK FORCE MEETING

Mr. Moore introduced those in attendance for the Hampton River Bridge Replacement Task Force:

NH Representative Nancy Stiles
NH Representative Susan Kepner
NH Representative Mark Preston
David Scott, NH Department of Transportation
James Moore, NH Department of Transportation
Richard A. McCann, Chairman of the Seabrook Board of Selectmen
Susan Foote, Chairman of the Seabrook Conservation Commission and Planning Board
Richard Maguire, Chairman of the Seabrook Beach Village District
Fred Rice, Chairman of the Hampton Beach Area Commission
Brian Warburton, Department of Resources and Economic Development
Tom Higgin, Hampton Planning Board
Scott Dunn, Seabrook Town Manager
Mr. McGuire, Seabrook Beach Precinct Commission
Sharon Raymond, Hampton Conservation Commission
Ilean Nevans, Hampton Chamber of Commerce
Sara Geebo, Seabrook Nuclear Power Plant
James Sullivan, Hampton Police Chief
Hank Lipe, Hampton Fire Chief

Town Manger Welch said that Representative Nancy Stiles came to him to discuss the importance of a Seabrook and Hampton consensus as well as input from the fishing/boating industry and the Seabrook Nuclear Plant regarding the Hampton River Bridge replacement. There are many different factors from all sects when creating a plan for the new bridge. Mr. Welch suggested a tunnel rather than a bridge, as there is less maintenance and they last longer. He also noted that the bridge will need to accommodate large vessels moving large equipment and containers to the Nuclear Power Plant.

State Representative Nancy Stiles thanked the Town Manager for coordinating the task force meeting. She would like to see continued progress with the bridge replacement and make certain that everyone with vested interests in the bridge receive up-to-date communication and have the opportunity to provide their input.

Fred Rice, Chairman of the Hampton Beach Area Commission noted that their organization has been working on the Hampton River Bridge project for many years. The Commission is interested in continuing to lead the way in the process. He noted that there is a lot of data that is yet to be sought.

Rock Garron came as a representative of the fishing industry. He also asked if the historical landmark designation will be voided. Mr. Garron pointed out that most boats can pass under the bridge with approximately 24 feet clearance at high tide.

Susan Foote commented on the tuna boats that populate the harbor during the harvest season. She noted that these boats are significantly larger than the average fishing vessel.

Civil Engineer, for the Department of Transportation, Bridge Design David Scott addressed the Board. He brought the same conceptual plans that he brought to a meeting many months ago. He noted that the most vital issue concerning the task force would be to secure funds. The current bridge design includes 45 feet clear span and he noted that the Coast Guard is agreeable that the bridge does not need to accommodate every vessel.

The Seabrook Board of Selectmen, Chairman McCann commented on the importance of seeking interested parties and a viable method of securing funds. He volunteered his services and is interested in participating in contributing to the project.

A representative from the Seabrook Nuclear Plant noted that approximately 25 feet above high-tide is required for vessels entering and exiting the Plant via Hampton Harbor.

Mr. Rice pointed out that a lot more research is required and it would be nice to have a consolidated vision of the bridge.

A property owner, who abuts the Neil Underwood Bridge, questioned the impact the new bridge would have on traffic along Hampton Beach. She noted that the current bridge creates traffic congestion and is concerned that the traffic has not been considered for the new one.

Fire Chief Lipe/Emergency Manager is concerned about an evacuation route for Hampton Beach during emergency events. Population increase in the beach area with limited escape routes creates a hazard during emergency events.

Sue Foote asked about the cost of a tunnel. Mr. Moore (DOT) said that there has been some consultant work done for a tunnel between Portsmouth and Kittery estimated at approximately \$100 million. The Hampton River Bridge is estimated at \$40 million

Mr. Welch noted that there is a need for the task force to gather information from the various industries to create an estimate for the average size of vessel entering and exiting the Hampton Harbor

Mr. Rice suggested that anyone interested in providing input to the bridge design whether it is ship dimensions, or traffic issues to provide a written document to the Town Planner, Jamie Steffen. Mr. Rice will be sending information regarding the Bridge via email to all those who were invited to the task force meeting.

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Moore reported that tomorrow, May 22 at the Portsmouth Public Library the Rockingham Planning Commission is having a planning session on the East Coast Greenway for the Appalachian Mountain Trail from Maine to Florida. He also announced that the Hampton Historical Society will be presenting Ed Caylor, pilot and survivor from Alfa Foxtrot 586 (US Navy P-3C ocean surveillance and anti-submarine plane) at the Lane Memorial Library. As a survivor of the 1978 crash he spent a week in captivity in the Soviet Union. Mr. Caylot will tell his chilling story along with audio and video.

II. APPOINTMENTS

1. POLICE CHIEF SULLIVAN – DEPARTMENT UPDATE

Police Chief Sullivan came before the Board to discuss the Police Departments operations and plans and activities for the rest of the fiscal year. The Department has been experiencing an increase in all areas, calls for service, arrests, crimes reported and accidents. The Chief continues the process of filling positions left open by retirements and resignations and currently have a number of new full time employees who have joined the staff since January. The Police Department is currently under budget going into the busy summer season.

An alcohol initiative has been established by the police in alignment with the prom and graduation season focusing on youth alcohol enforcement initiatives. The police have been working with the schools and other area agencies finding ways to educate the youth of our community of the dangers of alcohol use. Their goal is simple; to prevent the all too common tragic alcohol related deaths. The Chief noted that the majority of this effort is made possible by utilizing grant funds.

The Chief unfortunately reported that all four mounted patrol horses are suffering from a serious health condition. All horses are dangerously underweight and in the care of a veterinarian to ensure recovery. The Chief reported that the information that he has received from the veterinarian indicates that the rehabilitation of the horses will take weeks and possibly months, therefore it is unlikely that there will be mounted patrol this summer. The Chief is very concerned about the health of the horses and is determined to find the cause.

National, top quality training classes have been hosted at the Police station resulting in free training slots for a number of Hampton officers. Chief Sullivan estimates that as of May 2007 the Department has saved in excess of \$3,000 in training costs by hosting these classes.

The Hampton Police Department was able to hire eleven special officers this season. There is still work to be done to ensure that the Department receives the necessary number of officers.

Captain Crotts retired earlier this year, and the Police Chief has decided not to fill the position. He is planning on redistributing the essential functions of the position within the Department staff and new organizational structure chart to reflect changes. Chief Sullivan proposed promoting Captain Richard Sawyer to the rank of Deputy Chief, the holding of the Lieutenant's position and an additional Sergeant position to be filled in the patrol division (funded from the savings of the Captain position).

Mr. Griffin asked about the veterinarian bills. Chief Sullivan believes that they should be able to manage the cost within the Mounted Patrol budget.

Mrs. Bridle-Russell MOTIONED to accept the personnel restructuring within the Police Department as presented by Chief Sullivan. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

2. CHARLES HUGHES – PERMISSION TO SERVE ALCOHOL AND FOOD ON DECK – STACY JANE'S LLC

The Liquor Commission requires permission from the local government before issuing a license. Mr. Hughes came before the Board to request permission for his restaurant/bar to serve alcohol and food on their newly constructed patio.

Mr. Griffin asked if entertainment will be provided on the patio. He mentioned that he has received phone calls from residents that are concerned about the noise level. Mr. Hughes said that he is not planning on having musical entertainment on the patio and that he has talked to many of his neighbors regarding their concerns.

The Selectmen would like to have the approval from the Fire and Police Departments regarding the proposal prior to making a decision.

Mr. Lally MOTIONED to postpone the Selectmen's decision until comments have been received by the Fire and Police departments regarding the serving of food and alcohol on the Stacey Jane's outdoor patio. The Selectmen will revisit the issue on June 4. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

3. TIM MCGRAIL & ANNE BIALOBRZESKI – 1056 & 1058 OCEAN BOULEVARD – SEAWALL

Tim McGrail (representing 1056 Ocean Boulevard) and the property owner of 1058 Ocean Boulevard addressed the Board. Not more than 20 feet of Town land is required for the seawall project at 1056 and 1058 Ocean Boulevard.

The stairway to the beach between the two properties will be shared by the two property owners. The stairs will be constructed from wood and will be removed every season. Mr. Welch pointed out that the stairway would be considered a structure and would need a permit from the Board of Selectmen. Town Attorney Gearreald recommended that the Board consider a license for stairways on Town property. The Town will not be responsible for policing or maintaining the stairway and some tax will be applied to the stairway.

Mrs. Bridle-Russell MOTIONED to permit the property owner of 1056 & 1058 Ocean Boulevard access to Town property for the purpose of repairing and reinforcing the previously existing seawall in the same footprint. Access will be granted upon receipt of the contractor's comprehensive insurance certificate, for at least \$1 million, naming the Town of Hampton as an additional insured. In addition, the removable stairs indicated in the plan will be subject to a license and insurance arrangement that the Town Attorney will provide to the property owners later in the week. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

III. MINUTES – MAY 14, 2007

The May 14, 2007 minutes stand approved as corrected.

Page 3 – Under Appointments – John Nickerson – Channel 22 - should read, Mason not Nason

Page 5 – Under Appointments – should read Barbara McGregor not, McGragor

IV. OLD BUSINESS

1. TOWN MANAGER'S REPORT

The New Hampshire Highway Safety Agency has approval the Police Department's application for funding of DWI Saturation Patrols during the July 6-8, 2007 period. The Town's overtime expenses to carry out these important highway safety patrols will be reimbursed under this program.

Mr. Welch has granted permission for a continuation of the satellite parking program for the coming Seafood Festival from Friday afternoon through Sunday September 7 to 9, 2007.

The public is welcome to attend the American Legion Post 35 Memorial Day Services on Monday, May 28, 2007. Observances in Hampton will be at 8 AM at the Hampton Beach War Memorial. The Hampton Parade will be at 11 AM followed by services at the High Street Cemetery.

2. G STREET DELIBERATION

The G Street Deliberation will be during the regularly scheduled Selectmen's meeting on June 18th.

3. CABLE TV ADVISORY COMMITTEE APPOINTMENT

According to the Town Manager there are currently seven members of the Cable TV Advisory Committee, including the Selectmen representative who should be considered a voting member. He also suggested that the Board consider appointing three alternate members.

Mr. Griffin MOTIONED to permit the Cable TV Advisory Committee Selectmen's Representative voting privileges during Committee meetings and to appoint three alternate members. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

4. TRENCH PERMIT

Mr. Lally MOTIONED to reconsider the May 7, 2007 motion to deny the Aquarion Water Company a trench permit. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

Mr. Lally MOTIONED to permit the Aquarion Water Company trench application for a permit to excavate on K Street in order to provide the required fire service for the property at 81 Ocean Boulevard. **Mr. Griffin SECONDED.**

Discussion:

Terry Didoney, (T.R. D. Entertainment Co. LLC.) the new property owner of Guido Murphy's came before the Selectmen and indicated that he is willing to comply with the Selectmen's set policy as specified by the Public Works department and is planning to install a sprinkler system as soon as possible.

**VOTE: 4 FOR
OPPOSED - Workman**

5. BUDGET COMMITTEE REQUEST

The Selectmen received a letter from Mary-Louise Woolsey, Chairman of the Hampton Municipal Budget Committee inviting the Town Manager and Finance Director to attend their June 19th meeting. The meeting is intended as a work session, so that the Committee may welcome the new Manager and have a preview of his goals and expectations for the 2008 budget year. In addition, the Committee would like to review the Finance Director's adjustments to the budget format.

Mrs. Bridle-Russell said that she blames the Chairman of the Budget Committee with the behavior that was exhibited that their last meeting (April 17, 2007 - Mr. Lally was verbally attacked). She does understand that it would be useful for the Town Manager and the Finance Director to present their thoughts to the Committee. Mrs. Bridle-Russell noted that if at any point that the Town Manager or the Finance Director feel that they have been insulted by Committee members they are welcome to leave the meeting.

Mr. Workman believes that the behavior of certain Budget Committee members at their last meeting was deplorable and will not reconsider his position on staff attending the meetings.

Mr. Lally is fine with the idea of having the Town Manager and Finance Director attending the Budget Committee meetings. He is not willing to reconsider his position on Department Heads attending their meetings.

Mrs. Bridle-Russell MOTIONED to reconsider the Selectmen's policy that was set at the regularly scheduled April 23, 2007 to prohibit staff from attending Budget Committee meetings. **Mr. Lally SECONDED.**

**VOTE: 3 FOR
OPPOSED - Workman
ABSTAINED - Griffin**

Mr. Lally MOTIONED to permit the Town Manager and Finance Director to attend Budget Committee meetings. Department Heads are not to attend Budget Committee meetings. **Mrs. Bridle-Russell SECONDED.**

Discussion:

Mr. Griffin questioned if the wording of the motion satisfies the RSA. Mr. Moore noted that the Town Manager and the Finance Director should be able to answer any financial questions concerning individual departments. Mr. Griffin will continue to represent the Selectmen at Budget Committee meetings.

**VOTE: 4 FOR
OPPOSED - Workman**

OLD BUSINESS CONTINUED

It was noted that the Carol Shea-Porter DVD's were sent in by a supporter and not by her office.

IV. NEW BUSINESS

1. DEEDED PROPERTIES

Mr. Workman asked why the Taylor River deeded properties are not on the list provided. Mr. Welch has asked Town Counsel to determine under the statute who the property would should to be returned to. It is the understanding of the Town Manager that the lots were originally deeded from the developer.

Mr. Welch noted that he is working on putting a comprehensible plan together of where all the Town properties are located.

2. WARRANT FOR THE COLLECTION OF 2006 YIELD TAXES

Mrs. Bridle-Russell MOTIONED to sign the Warrant for the Collection of 2006 Yield Taxes. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

Mr. Moore announced that the Selectmen will be meeting immediately after tonight's meeting in a non-public meeting under RSA 91-A: 2, I (c).

VI. CONSENT AGENDA

1. Waste Water Treatment Facility Upgrade Contract
2. Parade License
3. Pool Table Permit

Mr. Workman MOTIONED to authorize the Town Manager to sign the Waste Water Treatment Facility Upgrade Contract as well as approve the Parade License and Pool Table Permit as presented. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

VII PUBLIC COMMENTS

Vic Lessard asked about G Street and if there was a decision made. Mr. Moore said that the deliberation had been postponed until June 18 and that the Selectmen are not able to discuss the matter in public until then. Mr. Lessard talked about trench permits in the beach area. He suggested that perhaps developers should be informed about ordinance (Sec 3:205) that states "no cut shall be made in roads that have been paved within the last five years". Mr. Lessard would like to see developers and business owners coming to Hampton as a economic opportunity.

VIII. CLOSING COMMENTS:

Mrs. Bridle-Russell reminded residents of the Chowdah Challenge next Thursday, May 31 at McGuirk's Ocean View Restaurant starting at 6 p.m.

Mr. Lally noted that Olive Lessard is in the hospital and he wishes her a speedy recovery.

IX. ADJOURNMENT

Mrs. Bridle-Russell MOTIONED to adjourn at 8:55 p.m. into a non-public meeting. **Mr. Lally SECONDED.**
VOTE: UNANIMOUS FOR

Chairman