

**HAMPTON BOARD OF SELECTMEN  
SELECTMEN'S MEETING ROOM  
JUNE 11, 2007 – 7:00 PM**

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

**REGRETS:** Rick Griffin

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

**SWEARING IN OF DEPUTY CHIEF OF POLICE**

Police Chief Sullivan announced the promotion of Captain Richard Sawyer to Deputy Chief of Police.

Town Clerk Jane Cypher swore Mr. Sawyer into his new position of Deputy Chief of Police.

Chairman Moore announced a few adjustments to the agenda.

Item 6, *WHS Security Upgrade Project Recommendation – Bid Award*, under New Business was discussed while Chief Sullivan was present.

**WHS SECURITY UPGRADE PROJECT RECOMMENDATION – BID AWARD**

**Mr. Lally MOTIONED** to accept the bid award as presented for the WHS Security Upgrade Project and authorize the Town Manager to sign the agreement. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

**PUBLIC HEARINGS:**

**1. ACCEPTANCE OF \$3,841.23 NH HIGHWAY SAFETY GRANT (RSA 31:95-B)**

Chief Sullivan provided an overview of the grant.

No other public comment.

Mr. Workman MOTIONED to accept the \$3,841.23 NH Highway Safety Grant. Mrs. Bridle-Russell SECONDED.

VOTE: UNANIMOUS FOR

**2. BARN PRESERVATION EASEMENTS AT 93 LOCKE ROAD (MAP 179 LOT 57) AND 687 EXETER ROAD (MAP 14 LOT 5).**

No public comment

Item discussed later in the meeting.

**3. Transfer Station Fees**

Residents Only – First 200 lbs. total of accumulated weight Monday through Sunday = FREE

Waste Motor Oil – (Up to 2 Gallons Free) 2+ gallons up to 5 gallons Maximum = \$2.00

Propane Tanks – 21 to 30 lbs. = \$20.00 / Item

Propane Tanks–31 to 100 lbs (Should be taken to commercial vendor) \$40.00/Item

Fire Extinguishers – Up to 20 lbs. = \$2.00 / Item

Fire Extinguishers – Over 20 lbs. = \$5.00 / Item

NO Oxygen Tanks, No Acetylene Tanks or Other Tanks

Tires up to 17" (NO RIMS) = \$6.00 / item

Tires 18" to 24" (NO RIMS) = \$8.00 / item

Tires 25" and larger (NO RIMS) = \$19.00 / item

Video Display Devices with Screen 4" to 8" = \$5.00 / Item

Video Display Devices with Screens 9"to 21" = \$10.00 / Item

Video Display Devices with Screens 22" plus = \$15.00 / Item

Public Works Director Hangen noted two significant changes at the Transfer Station. The station is starting to recycle tires and video display devices.

The disposal contract that the Town has with Waste Management stipulates that no tires are to be thrown in with the trash or taken to the landfill. As a member of the Northeast Resource Recovery Association (NRRRA), the Town has access to a tire-recycling program. The Town would be charged a fee for the rental of a closed container and for the tires to be hauled away.

Video display devices (i.e. computer monitors, TVs, etc.) are not included in the Waste Management agreement. Effective July 1, 2007, the law in New Hampshire will prohibit all video display devices. The only option is to recycle them through the NRRRA recycling program.

Chairman Moore read out loud the proposed fee changes.

**Mr. Lally MOTIONED** to accept the transfer station fees as read into the record. **Mr. Workman SECONDED.**  
**VOTE: UNANIMOUS FOR**

## **SALUTE TO THE FLAG**

**Mr. Moore introduced those in attendance.**

### **I. ANNOUNCEMENTS AND COMMUNITY CALENDAR**

Mr. Workman announced that this Thursday, June 14 the Hamptons' American Legion Post #35 will be hosting the annual Ceremonial Flag burning at 6 p.m. at the parking lot located behind the uptown Fire Station #2. He also announced that Hobbs House will be holding an identification theft session.

Mr. Moore commented on a letter received from U.S. Senator John Sununu regarding Article 43 (Climate Change Resolution). Chairman Moore also noted that a letter was received from Cable TV Advisory Committee Volunteer and Scholarship recipient Alex Mason thanking the Selectmen for their support.

### **II. APPOINTMENTS**

#### **1. PUBLIC WORKS DIRECTOR JOHN HANGEN – UPDATE**

Operations Manager Doug Mellin provided an overview of the many different activities, the Public Works Department has been involved in as well as work related to the April storm, and upcoming projects in each division.

The Waste Water Treatment Plant upgrade Phase III will be starting this August.

The payment system at the transfer station is being implemented. Customers can use credit cards rather than cash.

Public Works Director John Hangen provided the Board with a handout, outlining the subjects of discussion.

There has been an increase in drainage complaints as a result of the intense rainstorms that Hampton has received over the past year. Mr. Hangen noted that there is a plan and it will be on the 2008 ballot for the voters to consider.

Mr. Hangen recognized Dave Spainhower and Bobby Walker, from the Sewer and Drains Division for their innovative thinking. When the elevator was installed in the Town Hall the building began to flood whenever it rained. To resolve the flooding problem Mr. Spainhower and Mr. Walker made a recommendation that was implemented and stopped the flooding. Their suggestion resulted in the Town saving approximately \$8,000 per year in overtime and the cost of pumps. Mr. Hangen is very proud of these two employees and wanted to make certain that they received credit for a job well done.

The Director went on to discuss the looming future costs at the Wastewater Treatment Plant. The Plant has reached the 80% capacity according to the New Hampshire Department of Environmental Services (DES) and the Town will need to plan for an expansion. He noted that if the Plant is not expanded or rebuilt it is likely that there will be a Town wide moratorium stopping all additional sewer connections.

Mr. Hangen reported that the Mill Road asphalt repairs were completed by the use of FEMA funds. Once the water table goes down the Department will complete Drakeside with the use of FEMA funds.

There are 36 properties that are not connected to the new sewer system in the beach area.

Mr. Hangen presenting the new transfer station barcode identification tags that will be used in the near future

Mr. Hangen would like to start a dialog with the Board of Selectmen and their expectations regarding the 2008 budget. He noted that something has to give and there have been a lot of costs in 2007 that he did not anticipate (i.e. monitors). He intends to submit a flat line budget with suggestions on what can be cut or adjusted at the Public Works Department.

It was the consensus of the Board to proceed with Mr. Hangen's suggestion to no longer offer curbside trash pickup for the next two scheduled holidays (Independence Day and Labor Day). Mr. Hangen believes that it is a waste of taxpayers' money. The transfer station will be open as usual and in accordance to the set schedule.

The Public Works Department has outsourced a contractor to trim the branches overhanging along Mill Road and High Street. It is hoped that by removing the obstructive branches it will clear the view of the traffic light.

It was the consensus of the Board of Selectmen to proceed with Mr. Hangen's suggestion to reduce the traffic light time delay at the Mill Road and High Street as follows: Red - from 4 seconds to 2 seconds and Yellow – from 4 seconds to 3.5 seconds.

Input on how to make the intersection safer will be requested from the Highway Safety Committee.

The new trench permit that the Selectmen received last week for Aquarion on Highland Avenue is 500 feet to the west from the last permit issued to them. Mr. Lally noted that it appears to be a public safety issue.

**Mrs. Bridle-Russell MOTIONED** to approve the trench permit as requested by Aquarion for 28 Highland Avenue. **Mr. Lally SECONDED.**

**VOTE: 3 FOR  
ABSTAINED - Workman**

The Board of Selectmen expressed their concerns regarding the existing paving problems that are ongoing along Ocean Boulevard (Route 1A).

During the week of June 4<sup>th</sup> the NH Department of Transportation (DOT) applied grader shim to the roadway from the north end of the Hampton River Bridge to Church Street (the west bound link to Route 101). The nature of grader shim is such that it is spalling from the roadway surface and covering the area sidewalks. It is being tracked into the businesses along the roadway with many business owners complaining regarding the oily mess intruding into their businesses.

In some areas the grader shim is higher than the sidewalk curb. This will cause flooding conditions in the coming storm season by allowing water to run off of the highway and directly into the shops and businesses on the back side of the roadway as opposed to being captured by the curb and directed to a catch basin.

**Mrs. Bridle-Russell MOTIONED** to issue a letter addressed to the NH Department of Transportation Commissioner O'Leary notifying him of their concerns regarding the condition of Ocean Boulevard. The letter will strongly suggest that the paving project be implemented in the fall and that the road be ground down to reveal the curb in preparation for it to be overlaid and properly sealed. The Town of Hampton is willing to supply adjustment rings for manhole covers and other structures that need to be raised so that the roadway may be sealed as soon as possible and protect it from further spalling during the summer months. In addition, DOT will need to provide ring height specifications so that the proper rings can be ordered. The Town is willing to provide Police details with the expectation that the DOT will provide State police where necessary. If the NH DOT is willing to accept these conditions the Selectmen encourage the Department to inform the Town when they plan on proceeding with the project so that the materials can be on hand. The Selectmen's preference is to have the project completed as soon as possible. An alternate to the suggestion would be to put DOT on notice to consider taking precautionary measures to protect those properties that are now subject to direct flooding due to the lack of curbs and gutters in front of the establishments along Ocean Boulevard. **Mr. Workman SECONDED.**

**Discussion:**

Due to the urgency of the matter the letter will be sent to the Commissioner tomorrow.

**VOTE: UNANIMOUS FOR**

Mr. Moore suggested that a public hearing be held the next time that Mr. Hangen is scheduled to meet with the Board (July 23) to discuss changing the solid waste pickup method.

Item 9, *Removal of Bidding Requirements* under New Business was discussed while Mr. Hangen was present. The telephone company has completed the change over of poles on Ashworth Avenue leaving about \$20,000 in sidewalk, curbing and roadway repairs to be completed. In order to immediately repair the obstructions to foot travel the Town Manager requested that the bidding requirements for the work be suspended.

**Mr. Lally MOTIONED** to suspend the bidding requirements for the work so that the utility pole, holes can be filled immediately so that public safety can be served. In addition, the Town is to seek reimbursement from the appropriate utility company for the cost of the work. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

**2. FINANCE DIRECTOR - MICHAEL SCHWOTZER – UPDATE**

Mr. Schwotzer's financial report and summary will be posted on the Town's website tomorrow.

With the budget pressures it is likely that GASB 34 will not be implemented in 2008.

Mr. Lally asked for clarification regarding health insurance. Mr. Schwotzer explained that health insurance depends on family sizes and when there are additions to a family.

Mr. Schwotzer noted that \$10,000 from the Collective Bargaining expense has been allocated (removed from available) to help fund the cleanup at the Beach Fire Station. The budget in this case was not changed, only footnoted.

Welfare continues to experience high demand for services and is over budget. Mr. Schwotzer noted that the Welfare Director refers many people in need to the various outside resources available.

The effective date of Article 44 and 45 will be discussed at next week's meeting.

**3. BOB O'LEARY – O'LEARY'S GRILL – OUTDOOR FOOD SERVICE PERMISSION FOR SPECIAL EVENT & PERMISSION TO SERVE ALCOHOL AND FOOD ON DECK**

The owner of O'Leary's Grille requested an Outdoor Food Service Permit so that he may cook and serve food during the annual benefit on July 21 and 22. Mr. O'Leary has consulted with the Fire Prevention Officer True and the Health Officer Schultz regarding the event.

**Mrs. Bridle-Russell MOTIONED** to permit Outdoor Food Service at O'Leary's Grille during their annual benefit on July 21 and 22, 2007. **Mr. Workman SECONDED.**

**VOTE: UNANIMOUS FOR**

Upon the recommendation of the Fire Prevention Officer and Health Officer/Building Inspector, Mr. O'Leary has requested the Selectmen's permission to build a deck for dining purposes. The Liquor Commission requires approval from the municipality prior to issuing a license. The deck will be seasonal, supervised and closed at the end of dining service. It is anticipated that the deck will be built and open by next spring.

**Mr. Lally MOTIONED** to permit O'Leary's Grille to build an outside deck for dining purposes (including the serving of alcohol). **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

Town Assessor Bob Estey addressed the Board. Item 1, *Request for Abatement of Taxes* under New Business was discussed while Mr. Estey was present.

**Mr. Workman MOTIONED** to grant the request for Abatement of Property Taxes as provided by the Town Assessor. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

He briefly discussed the barn preservation easements at 93 Locke Road (Map 179 Lot 57) and 687 Exeter Road (Map 14 Lot 5).

Item 3, *Policy on Granting of Sewer Abatements* under New Business was discussed while Mr. Estey was present. Mr. Estey noted that many years ago the entire Town was going to have a sewer system; however, somewhere along the way the sewer infrastructure project stalled. The only method that is acceptable to the Department of Revenue to provide a tax break for people who do not use the sewer system is the abatement process. Currently the sewer abatement program is costing the Town approximately \$75,000 and is unique to Hampton.

Chairman Moore suggested that a public hearing be held prior to approving the new Policy on Granting of Sewer Abatements which would eliminate the past practice of granting sewer abatements. It was suggested that a public hearing regarding the subject be held in July.

**Mr. Lally MOTIONED** to grant a tax relief of 40% off the full assessed value of the barn located at 687 Exeter Road (Map 14 Lot 5). **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

**Mrs. Bridle-Russell MOTIONED** to grant a tax relief of 40% off the full assessed value of the barn located at 93 Locke Road (Map 179 Lot 57). **Mr. Workman SECONDED.**

**VOTE: UNANIMOUS FOR**

### **III. MINUTES – JUNE 4, 2007**

Page 1 – under Public Hearing – No public comments were made. (Needs to be added)

The June 4, 2007 minutes stand as amended.

### **IV. OLD BUSINESS**

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

Mr. Welch is pleased to report that Audrey M. Cummings of Rollinsford, New Hampshire has been hired to fill our vacant position of Accounts Payable Clerk. Ms. Cummings has been a bookkeeper for many years and she will be starting on Wednesday, June 13<sup>th</sup>. A total of 20 applications were received for the position.

The Town was notified on Thursday that the State will not be contracting with the Town to provide lifeguards at our beaches this year. The State is unable to obtain sufficient lifeguards to fulfill their own needs for the 2007 summer needs. Signs will be placed at the entrance to Town beaches advising patrons that no lifeguards are on duty and that swimming is at your own risk and to watch for riptides.

As of June 8, 2007 the number of structures not connected to the municipal sewer system is 36. Additional letters advising individual property owners of the July 1, 2007 cut off date were sent as a courtesy.

A call was placed to State DOT Division Six requesting that the stripping and crosswalk painting of Ocean Boulevard be completed before June 18, 2007. Mr. Welch was informed that the message and request would

be forwarded to the appropriate individuals responsible for those tasks. The State is also planning on placing crosswalks at O Street / High Street and Ocean Boulevard.

The Church Street resident parking lot is open to resident only parking. While the Town has received a request to remove the chain link fencing around the lot it has been determined that it will remain. The lot will be needed for the storage of materials for the Phase II west side street sewer work (when it proceeds) and for the pump station upgrade that will be needed in the future.

The Building Department has issued a condition report to the State following an inspection of the State's facilities at Hampton Beach. The stage area is in need of immediate repairs due to failure of the overhangs, soffit and exterior roof. There has been an instance of sizable pieces of falling concrete striking the ground with additional areas of failure about to fall. The area of concern has been closed and cordoned off. Mr. Welch thanked Senator Preston for bringing this matter to the Town's attention.

Mr. Welch received a request today for two handicap parking spots to be placed near 15 and 17 P Street. The residents understand that the spots cannot be reserved.

Mr. Welch reported that a quilt with Hampton history has been made by Marston School students and it will be hung in the Town Hall for residents to view.

## **BOARD'S RESPONSE TO THE MANAGER'S REPORT**

The subject of handicap parking along P Street was discussed many months ago. The subject will be addressed at the next Selectmen's meeting.

The Selectmen expressed their disappointment that Town Beaches will not have lifeguards. There was some discussion on the low rate of pay and on the idea of the Town hiring its own lifeguards at a higher rate than the State.

## **2. TRENCH PERMIT – HIGHLAND AVENUE**

Item discussed earlier in the meeting.

## **V. NEW BUSINESS**

### **1. REQUEST FOR ABATEMENT OF TAXES**

Item discussed earlier in the meeting.

### **2. UNLICENSED DOG WARRANT**

The signing and finalizing of the Unlicensed Dog Warrant will be issued on June 25. The Selectmen strongly encouraged all dog owners to get their licenses before the warrant has been issued.

## **POLICY ON GRANTING OF SEWER ABATEMENTS**

Item discussed earlier in the meeting.

### **3. MARINE 1 DEDICATION**

In 1993, Fire Inspector Bryan Litchfield died as a result of a long fall through the floors of a structure he was investigating. Bryan was a passionate sailor and loved water recreation to its fullest potential here in Hampton. Fire Chief Lipe requested that the Hampton Winninghoff Rescue Boat be named in his honor as a tribute to his dedication to the Town and his love for the water.

**Mrs. Bridle-Russell MOTIONED** to name the Hampton Winninghoff Rescue Boat the "Bryan J. Litchfield" in honor and dedication of his services. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

### **4. OUTDOOR FOOD SERVICE PERMISSION – EMG3 & HANNAFORD**

**Mr. Workman MOTIONED** to permit Outdoor Food Service for the Summer Celebration Event at the Hampton Hannaford store on July 12, 2007 from 3PM to 7PM. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

### **5. WHS SECURITY UPGRADE PROJECT RECOMMENDATION – BID AWARD**

Item discussed earlier in the meeting.

### **6. SELECTMEN'S POLICIES, CHAPTER 8, ARTICLE 7**

**Mr. Lally MOTIONED** to adopt the policy that Dispatch is to call the Board of Selectmen and Town Manager on the items listed in Article 7 in Chapter 8 of the Ordinance only between the hours of 7AM and 10PM except if instructed otherwise by the Chief of Police or the Fire Chief or for an incident contained in Items 2, 3, 4, 5 and 6 as listed within the policy. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

### **7. APPOINTMENT OF ACTING TOWN MANAGER**

**Mrs. Bridle-Russell MOTIONED** to appoint Mike Schwotzer as the Acting Town Manager from June 13 through to June 17 while Mr. Welch is out of Town. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

## 8. REMOVAL OF BIDDING REQUIREMENTS

Item discussed earlier in the meeting.

## OTHER NEW BUSINESS

**Mr. Workman MOTIONED** to schedule a public hearing of June 25 to accept funds from the Justice Assistant Grant program. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

**Mrs. Bridle-Russell MOTIONED** under RSA 91-A: 3 II,(a) to enter into a nonpublic meeting regarding personnel. **Mr. Workman SECONDED.**

**VOTE: UNANIMOUS by role call**

## VI. CONSENT AGENDA

1. License for Coin Operated Amusement Devices
2. Parade License
3. Cemetery Deeds

**Mr. Workman MOTIONED** to accept the consent agenda as presented. **Mrs. Bridle-Russell SECONDED.**

**VOTE: UNANIMOUS FOR**

## VII PUBLIC COMMENTS

Hampton resident and NH Department of Resources and Economic (DRED) employee Brian Warburton came to address some of the comments made by the Selectmen regarding the lifeguard situation. He noted that DRED is hoping that the lack of lifeguards is a temporary situation. He mentioned that the State provides excellent training for all of their lifeguards and the Town should utilize State lifeguards when available. Mr. Warburton also noted that the pay is only part of the problem and that there is a shortage of qualified lifeguards. He also pointed out that DRED assisted the Town last year by picking trash up along Ocean Boulevard seven nights a week. Mr. Warburton would like to see the Selectmen focus on the good that DRED does for Hampton.

Chairman Moore noted that there was no disrespect intended.

Chairman of the Precinct Commission, Maureen Buckley came to discuss her concerns about the condition of the Ocean Boulevard. She is worried about impact that the construction will have on the Sand Sculpture Competition. Ms. Buckley hopes that if DOT proceeds with the construction it will not disrupt the event.

**VIII. CLOSING COMMENTS:**

Chairman Moore reminded the Board that the 13 G Street Deliberation will be on next week's agenda.

Last week the Trinity Episcopal Church requested posting a sign on the "Welcome to Hampton" sign. The size of the sign that is being considered for posting is in accord with the others. Since there is little room for additional signage the Church requested that the sign be posted on a bracket that hangs down below the "Welcome to Hampton" sign.

**Mrs. Bridle-Russell MOTIONED** to permit the Trinity Episcopal Church to post the sign (24" x 30") as presented in their letter dated May 23, 2007 to be hung by brackets below the "Welcome to Hampton" signs.  
**Mr. Workman SECONDED.**

**VOTE: UNANIMOUS FOR**

**IX. ADJOURNMENT**

**Mrs. Bridle-Russell MOTIONED** to adjourn at 9:45 PM to a non-public meeting. **Mr. Lally SECONDED.**

**VOTE: UNANIMOUS FOR**

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**Chairman**