

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
JUNE 18, 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 and introduced those in attendance.

SALUTE TO THE FLAG

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

Mr. Workman announced the identification theft prevention session being held this Thursday at Hobbs House.

Chairman Moore reminded residents that the Sand Sculpture competition has started and that the awards will be presented this Saturday.

II. APPOINTMENTS

1. RECREATION & PARKS DIRECTOR DYANA MARTIN – DEPARTMENT UPDATE

Director of Recreation and Parks, Dyana Martin came before the Board to discuss each Department branch (Parks, Parking Lots and Recreation).

Former Recreation & Parks Secretary, Shirley Doheny was recently hired as the Deputy Town Clerk leaving the secretary position vacant. Katie Yeaton was hired as the new Secretary and started on May 14th.

April 1 was the official date for parks maintenance to begin. Soon after that date the Parks Coordinator Darren Patch injured his back and went out on workers' compensation. Ms. Martin recognized part-time parks employee, Al Mason for heading up the crew until Darren returned this past week.

Hampton participated in the nationwide America in Bloom program to honor those who lost their life during the 9/11 tragedy. A Freedom Garden was built at the corner of Winnacunnet and Park Avenue. Unfortunately this garden had to be removed because of the spur road construction. Director Martin asked if the Board had any

objections to tearing down the bus stop at Five Corners to build a Freedom Garden in its place. The other option is to get an Eagle Scout group to resurrect the bus stop.

Town parking lots have opened for the summer season. As of June 10th the lots have generated \$20,608 which is a significant increase in comparison to last year which was \$14,729.

Over the past few months the Department has been preparing a variety of spring and summer programs for all ages (Summer Day Camps, Holodek Camp, Wrestling Camp, Baseball Camp, Tennis Camps and Lessons). Many of the Recreation Programs will start on June 25.

Ms. Martin and the Recreation Advisory Council have been working on the Master Plan for the Department. She is hopeful to have University of New Hampshire Assistant Professor Bob Barcelona, Ph.D. to help them with the plan.

A few months ago, the Jr. High Student Council headed up a fundraiser for the Department and rose over \$1,700 to go towards the repair of the tennis/basketball courts. The Council will be hosting another fundraising event next week.

Director Martin briefly discussed the many activities that the Department has coordinated.

The Department has received equipment donations from various Hampton individuals and businesses. Hampton also received approximately \$20,000 worth of skate park equipment from the Town of Exeter. Ms. Martin thanked the Public Works Department for their assistance, in transporting and setting up the equipment.

The Recreation & Parks Department was awarded the Rockingham County Incentives Fund grant for \$15,000 for children to attend summer camps.

SELECTMEN'S RESPONSE TO DIRECTOR'S REPORT

Mr. Griffin asked about the Adopt a Spot program. Ms. Martin explained that there are nine locations around Town that individuals volunteer to plant flowers and maintain throughout the summer.

The Selectmen discussed the Five Corners bus stop as a potential location for the Freedom Garden. It is believed that the bus shelter is still used and the Selectmen were not keen on the proposed Five Corners location for the Garden. Mr. Moore suggested using the property on the west side of the Winnacunnet High School driveway (from Winnacunnet Road) for the Freedom Garden.

2. ROBERT BROWN – FIRE DEPARTMENT

Fire Chief Lipe and Firefighter/Paramedic Buck Frost joined Hampton resident Robert Brown before the Board of Selectmen.

Mr. Brown came to express his sincere gratitude to Buck Frost for the professional and caring manner in which he conducted himself while transporting Mr. Brown to the hospital. Mr. Brown called dispatch on March 27, 2007 to seek medical and emergency aid when he was having difficulty breathing due to a heart related condition. During the episode Mr. Brown was extremely scared for his life yet Mr. Frost conducted himself in an

extraordinary manner that helped calm Mr. Brown. Mr. Brown thanked all the Hampton emergency personnel (Buck Frost, Lieutenant John Stevens, Jason Newman, Matt Clement, Don Felch, and Dispatcher Cassie Bridle) who were involved in saving his life. He said that Chief Lipe and the Selectmen should be very proud of these employees.

Mr. Brown also talked about the Hampton Walkers who have been picking up litter. He thanked those individuals who have demonstrated their pride in Hampton by taking the time to clean the roadways.

III. MINUTES – JUNE 11, 2007

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The June 11, 2007 minutes stand as amended.

IV. OLD BUSINESS

1. TOWN MANAGER'S REPORT

Mr. Welch has been advised that the NH Department of Transportation (DOT) will be completing the paving operations on Ocean Boulevard either this Thursday or Friday or in the beginning of next week. There are some indications that the raising of structures will continue for a period of time after the paving completion. Mr. Welch continues to encourage DOT to complete the job as soon as possible.

We have been advised that the NH Department of Environmental Services has approved the portion of the Wastewater Construction Plant Upgrade contract as previously approved by the Board of Selectmen in the amount of \$110,000.

The Town is now licensed to play music at activities in accordance with the requirements of Federal law. The cost of the license is \$284.00 annually.

Mr. Welch reminded residents that all dogs must be licensed by Monday, June 25th before the dog warrant is issued that could result in additional fees that could double your costs plus any Court costs.

SELECTMEN'S RESPONSE TO THE TOWN MANAGER'S REPORT

Mr. Griffin asked for clarification regarding what will be involved with the dog warrant. Town Manager Welch explained that the Animal Control Officer will be going to each unlicensed dog owners' home to seek payment.

Mr. Lally thanked Mr. Welch for the work that he has done regarding communicating the Selectmen's concerns to the NH DOT about the paving along Route 1A.

2. 13 G STREET DELIBERATION

The claim was presented in March 2007. The Selectmen held a hearing in May 2007 and toured the property on May 14th. The deliberation for the Rapuano family claim was originally scheduled for May 21, 2007 but was postponed until today. The property owners of 13 G Street filed their claim under RSA 231:75 (Damages from Grade Change; Assessment by Selectmen) in February. They are claiming that the foundation of their home was cracked by nearby excavation work during the Beach Infrastructure Project.

Mr. Lally said that there are visible cracks in the foundation but does not believe that he has the expertise to tell if the damage was there before or after the Beach Infrastructure project.

Mrs. Bridle-Russell also believes that it is very difficult to determine if the structure was damaged as a result of the Beach Infrastructure Project and that there are good arguments for each side.

Chairman Moore discussed RSA 231:75. He does not believe any evidence supporting the claim of structural damage caused by grade change was presented by the claimant. The claim may or may not be a result of equipment caused vibration resulting in the cracking of the foundation. He noted that there is no evidence supporting the claim that the elevation of the road damaged the foundation at 13 G Street.

Mrs. Bridle-Russell MOTIONED to deny the 13 G Street claim based on the lack of evidence of a grade change along G Street causing damage to the structure. **Mr. Lally SECONDED.**

Discussion:

Motion will be kept on file at the Town Clerk's office.

**VOTE: 4 FOR
ABSTAINED – Workman**

3. HANDICAP PARKING REQUEST ON P STREET

Chairman Moore expressed his concerns about setting precedence by establishing a handicap parking space per request.

Designated handicap parking spots can only be used by people with handicap parking permits and cannot be reserved for specific individuals.

Mike LaMontagne, son of Diana LaMontagne, the Hampton resident requesting two handicap parking spots, addressed the Selectmen. He mentioned that the property (15 P Street) has been in his family for approximately 100 years. He noted that much of the parking has been eliminated along the street after the sidewalks were constructed. Mr. LaMontagne also pointed out that parking is only an issue for a few months out of the year and a handicap spot would help his mother's parking situation.

Mr. Griffin MOTIONED to place one handicap parking space on P Street as close to Ashworth Avenue as legally possible. **Mrs. Bridle-Russell SECONDED.**

Discussion:

Mr. Lally noted that a lot of parking has been eliminated on P Street and it would be a kind gesture to consider providing a handicap parking space on that street. It was noted that the motion will set precedence for similar requests.

VOTE: UNANIMOUS FOR

4. EFFECTIVE DATES FOR ARTICLE 44 & 45

On March 13, 2007 Hampton citizens voted to approve Articles 44 and 45. The articles deal with the revenues generated from Town parking lots located in the Precinct area. Article 44 permits 20% of revenues for a recreation infrastructure fund and Article 45 rescinded the 20% of revenues that was allotted for infrastructure projects within the Beach Village Precinct.

The articles did not specify an effective date and since both were approved it is necessary for the Selectmen to designate a date. Mr. Workman noted that there was a recount on the articles on March 15, 2007.

Mr. Workman MOTIONED to designate March 15, 2007 as the effective date for both Article 44 & 45. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

5. ESTABLISHMENT OF FURTHER LOADING ZONES ON THE WEST SIDE OF ASHWORTH AVENUE

Mr. Lally requested that the Board consider placing additional loading zones on the west side of Ashworth to cater to Hampton Beach businesses and visitors.

Town Attorney Gearreald suggested contacting Fay, Spofford and Thorndike (FST) to ask if it is structurally possible to place additional loading zones along Ashworth Avenue (curb cut lengths need to be considered).

Town Manager Welch mentioned that the RSA does not specify a need for a public hearing regarding the establishment of a loading zone. The Board will need to determine if they would like to continue having public hearings regarding street ordinance changes or not.

Additional information will be sought from Public Works as well.

OLD BUSINESS CONTINUED

Mr. Workman asked for a status report on the Town Clock. Mr. Welch will contact Mr. Webber and will update the Board at a later date.

Mr. Griffin asked for a health status report on the police horses. Mr. Welch mentioned that the horses are doing better since the problem was first discovered. Each horse has lost between 200 and 250 pounds. It will take months to slowly put body mass back on the horses. Mr. Griffin asked if the incident will increase vet expenses. Mr. Welch believes that there will be a slight increase. Mr. Griffin asked if there has been a policy change. Mr. Welch said that the policy has yet to be written but there will be a policy developed that specifies the husbandry required on a weekly, monthly and yearly basis. Mr. Griffin asked if it has been determined who is responsible for the lack of care. Mr. Welch said that the Police Department is still trying to figure out what happened and they want to make certain that the animals always receive proper care.

IV. NEW BUSINESS

Town Attorney Gearreald reported on the emergency lane "test street" findings for Cole Street (private street). He said that the task proved to be time consuming as a title search was required for each individual and/or organization that has interest in each property along the street.

Mr. Workman MOTIONED to schedule a public hearing on July 9, 2007 to designate Cole Street (private street) as an emergency lane. **Mr. Lally SECONDED.**

Discussion:

A 10 day written notice is required to be mailed to each interested party.

VOTE: UNANIMOUS FOR

Chairman Moore declared a meeting with Town Counsel directly after this meeting.

VI. CONSENT AGENDA

1. Parade License
2. Discretionary Easement Application

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

VOTE: UNANIMOUS FOR

VII PUBLIC COMMENTS

Vic Lessard came before the Board to voice his concerns of a particular structure near Winnacunnet Road and Ocean Boulevard that needs to be cleaned up or torn down. He noted how the property defaces the beach and it is a shame that the Town has not ordered the property to be cleaned up.

He also commented on the handicap parking space along P Street. He would like to see the Selectmen issue two spaces for long time resident Dyana LaMontagne. Mr. Lessard was also upset about the construction along Exeter Road. He said that he sat in traffic for over 45 minutes and that construction should not be allowed until rush hour is over.

VIII. CLOSING COMMENTS:

IX. ADJOURNMENT

Mrs. Bridle-Russell MOTIONED to adjourn at 8:50 p.m. into a non-public meeting with Town Counsel. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

Chairman