

Town of Hampton



HAMPTON BOARD OF SELECTMEN SELECTMEN'S MEETING ROOM Minutes of March 31, 2008 – 7:00 PM

PRESENT: William Lally, Chairman
Richard Griffin, Vice Chairman
Richard Nichols
Richard Bateman
Michael Schwotzer, Acting Town Manager
Kristina Ostman, Administrative Assistant

REGRETS: James Workman

Chairman Lally called the meeting to order at 7:00 p.m.

SALUTE TO THE FLAG

Chairman Lally introduced those in attendance.

I. Announcements and Community Calendar

Mr. Griffin – Mentioned his attendance at City Year event and the good work that the group does.

II. Appointments

1. State of New Hampshire DOT – Neil Underwood Bridge

Introductions of NHDOT Personnel: David Scott, Bureau of Bridge Design In-House Design Chief; Bob Aubrey, Bureau of Bridge Design; Senior Project Engineer; Bill Janelle, Assistant Director of Project Development; Nickie Hunter, Bureau of Construction, District Construction Engineer (Oversees all NHDOT Construction Projects in this area through the Department's Contract Administrators, who work for her.) Doug Deporter, Bureau of Highway Maintenance, District Highway Engineer, (Oversees all highway maintenance in District 6, as well as scheduling of the lift span at the bridge, as well as being the DOT's representative on the Hampton Beach Area Commission.

Mr. Scott thanked the Selectmen for their consideration of allowing them to present this evening.

Mr. Scott explained that this is the 4th time the DOT has been here to discuss the bridge. On Sept. 14, 2006 we conducted a Combined Public Officials/Public Informational meeting. While there, the Town communicated their desire for the following:

1. a project that did not impede traffic from mid-June through mid-September
2. a project that utilized alternating one-way traffic, rather than a nightly closure.

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Mr. Scott stated that this project meets both those objectives.

Mr. Bob Aubrey continued the presentation and described the details of the work.

Rehabilitation work to include:

Installation of Automated Safety Barrier Gates (needed for traffic control during phased construction)
Structural Steel platforms (4 required, 2 to support gate and motors and 2 to support receiver attachment) connected to main girders, fascia beams, and concrete deck. Manually operated gates to remain as back-up in the event of power failure damage to operated gate. Automated gates can be operated manually.

Replacement of reinforced concrete bridge deck (including sidewalk) on twelve approach spans. Curb-to-curb roadway and sidewalk width will remain the same. Work will be done in phases, one-half bridge width at a time over portions of bridge not to exceed 600 feet in length (six spans). There are six 94-foot spans on each approach for a total of length of over 1125 feet.

Repairs to expansion joints as required (in particular sidewalk plates) and to repair of Structural Steel as required. As a minimum we are replacing two beams in the northern approach span adjacent to the lift span. These beams are severely deteriorated and it will be easier to do this work with the deck removed. As deck removal work proceeds it may be necessary to revise the scope of the structural steel repairs.

Repairs to abutment concrete as severe deterioration at top portion supporting guardrail has occurred.
(Work likely to be done during long-term lane closure)

Replace existing pier protection in kind (fender system). No permanent loss of clearance for marine traffic, however there may be some short-term width restriction during replacement work.

Existing bridge has only a 26-foot wide travel way. It is not possible to maintain two-lane two-way traffic during construction activities. For the concrete bridge deck replacement and structural steel repairs, a one-lane two-way traffic pattern will be implemented utilizing the existing traffic lights on the approach spans and the installation of temporary signals. A minimum lane width of 10 feet is proposed in each phase of construction. Due to the narrowness of the bridge, there is no room for temporary relocation of the sidewalk.

Anticipating a problem with winter maintenance (DOT vehicles too wide to cross bridge with 10-foot lane restriction), the DOT is hiring an operator with a one-ton pick-up truck to do snow removal on the bridge and portions of the roadway approaches for the winter months.

A signed detour indicating an alternate route utilizing NH 286, US 1, and NH 101 will be installed as a part of this contract. Detour length is approximately 12.5 miles.

Schedule of Work:

Currently work hours are noted in POW as 7 am to 7 pm. Mr. Aubrey is concerned about the noise ordinance which the proposed work schedule is in conflict with.

Currently in POW, we have restricted the Contractor from working during the summer months (typically mid-June to mid-September).

We anticipate that it will take 3 construction seasons (Sept 2008 to June 2009, Sept 2009 to June 2010, Sept 2010 to June 2011) to complete the work. Final completion date for all construction activities is June 17, 2011. Ad Date: April 15, 2008 - Bid Opening: May 8, 2008 - G & C Approval anticipated: June 4, 2008 and the work to begin after September 8, 2008.

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Anticipated work period – 3 years September to June, ending in the year 2011.

Open Discussion between the Board Members, Chief Lipe, Chief Sullivan and the DOT Representatives on the following issues: Public meetings on the reconstruction on the Bridge; how was this problem resolved with respect to the prior work on the Bridge in the nineteen eighties, how will emergency vehicles be able to cross the bridge, how to address emergencies on the Bridge at that width, the lane width of ten feet and the mutual aid issue, jurisdiction of traffic control, and DOT's expectation to utilize flaggers for much of the work that is in conflict with the requirements of the Hampton's own ordinance requirements and whether or not DOT can supersede town.

Questions from the Department Heads:

Chief Lipe – Ten feet is not enough for the Fire Trucks to pass over the Bridge. The Department does not have a smaller truck to accommodate the width. Chief Lipe mentioned that at a minimum eleven feet is needed to meet the truck width needs. All the fire trucks are 9.7 feet in width. Chief Lipe would like to go on record that they will not be able to respond to an emergency on the Bridge.

Chief Sullivan's concern is pedestrian safety while crossing the bridge, and that the use of details at critical periods should occur.

Resolution was agreed in the form of meeting with the Fire Chief and Police Chief within the week to take a test run with the trucks and placement of cones; to determine what if feasibility and what measures can be done to alleviate the situation.

III. Board Presentation to Mrs. Virginia Bridle-Russell

Chairman Lally presented to Mrs. Virginia Bridle-Russell on behalf of the Board of Selectmen and the Residents of the Town of Hampton; a Resolution for Recognition of Service. This honor is given by the Selectmen her commitment to the Town of Hampton. The resolution recognized the many positions of office that she held and her accomplishments through out her twelve years of service to the community. Mrs. Virginia Bridle- Russell received a standing ovation.

Appointments – Continued.

2. Chief Jamie Sullivan – Police Departmental Update

Chief Sullivan gave a summary of activities of the Hampton Police Department for the months of January 2008 through March 2008

The department's yearly activity continues to increase in all areas. Our calls for service to date continue to be significantly above that of last year running about 10% above 2006 rates for the year. The accidents reported are on the same pace as last year. However, offences reported (arrests and incidents) are up 20% over the same period last year. Arrests are up 25% and are largely the reason for the increase. Of note our DWI arrests are up significantly as are our arrests on warrants. Incident reports taken are up over last year as well.

Chief Sullivan in addition, gave an overview of some examples of the excellent work our officers perform day in and day out for the citizens of Hampton: the arrest of a top 10 most wanted sexual offender from Massachusetts, and three individuals for criminal restraint involving weapons.

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Personnel: Two Officers: Rachel Mead and Paul Morais graduated from the Academy last Friday night. They continue to participate in training over the next two weeks and will then return to the FTO program.

Officers Barry Buczek and Steve Champey have been newly assigned as Detectives filling positions left open from retirements. Detective Champey will be assigned as the Departments Juvenile officer/prosecutor. We are in the final stages a full time process completing a background interview of a candidate for the Open fulltime position.

Budget: Currently we continue to operate well with in the allotted 2008 budget.

Mounted Patrol: I am glad to report that today, Deputy Chief Sawyer, Sergeant John Galvin and Deputy Chief Dennis Pelletier (ret.) purchased a new horse. They are returning from Kentucky as we speak. This purchase is being made based on the generous support of private funds supporting the mounted patrol.

Training: This is the beginning of our busy season for training. Our current class of Special Officers will graduate from the 252nd Part-Time NH Police Academy on April 15th, which will be the first class to complete the expanded session (doubling hours of training). Once they complete that training they will return to HPD and complete another 100+ hours of in house training (classroom, hands on, and FTO ride along) and be ready for the road in the first week of May.

We will be conducting hands on class of Defensive Driving for all officers in the department during the second week of April.

Questions from the Board

Mr. Nichols asked why the 20% increase in arrests and incidents and is it based on pro active efforts. Chief Sullivan explained that it is because of the pro-active stance the department has taken.

Mr. Griffin thanked Chief Sullivan for a good report.

Chief Sullivan informed the Board that he will also attend the meeting with DOT and the Fire Department.

3. Fred Rice – Household Hazardous Waste Day – May 10th

The Southeast Regional Refuse Disposal District is planning to conduct its 17th Annual Household Hazardous Waste Collection Day on Saturday, May 10, 2008.

We hereby request that we again be allowed to hold the collection in the Old Town Hall parking lot on that date from 9:00 AM to 12:00 Noon.

Our primary contractor for this event will be Care Environmental Corporation, the same firm we have used for the past several years. In addition, Uniwaste Services LLC, of Portsmouth will collect fluorescent tubes and ballast, computers and TVs and miscellaneous electronic equipment.

This event will be publicized on the Hampton web site, on Channel 22, in local newspapers, on posters displayed by local businesses and in flyers distributed to all local school children.

We will provide you with a list of the commodities that may be collected, the maximum amounts per individual, and the prices to be charged.

Mr. Rice suggested that the Board of Selectmen coordinate with abutting towns (as proposed in the public hearing for next Monday evening) the fees charged as it would eliminate the dumping of fluorescent bulbs within the Town.

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Mr. Bateman MOTIONED to approve the request with same requirements and conditions as required in the past, and to approve the Date of May 10th for the Household Hazardous Waste Day to be held at the Old Town Hall parking lot. Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

IV. Minutes – March 24, 2008

Corrections:

Page 3 – Second to last sentence, change the following words: publish to punish and Club Scots to Boy Scouts.

The March 24, 2008 minutes stand as corrected and approved.

V. Old Business

1. Town Manager's Report

Please make note that the NROC Action Group meeting will be held on Thursday, April 3, 2008 at 7 PM in the Hampton Academy Library.

The Park & Recreation Department will be presenting the Shades of Ireland Travel Show on April 10, 2008 at 6 PM in the Tuck Building. If you are interested in taking part in the fall trip to Ireland please attend.

Please attend the Carbon Challenge at 6:30 PM on April 1st in the Lane Library. Come and see how to reduce your carbon emissions and your utility and heating bills.

Please mark your calendars and come to see the "Inconvenient Truth" on April 19th from 2 to 4 PM and the Lane Library sponsored by the Energy Committee and the Hampton Beach Beautification Committee. Learn more about global warming and climate change.

A group of children and the Boy Scouts Troop 177 has volunteered to clean the Skate Board Park.

Mr. Bateman thanked Mr. Welch on the initiative he has taken on the issue of the Town Clock. Read a letter from Kevin Schultz who visited Harvey Webbers home; as that is the location of where the clock is.

A letter from the Coalition Committee (re: Donor Communities) and the question as to who pays for this advice and that issue will be investigated.

Mr. Nichols asked about the Hardardt's Way issue. Mr. Nichols stated his concerns regarding the public safety, will it be better or not, does it affect or even increase the in town's liability, illegal dumping at the Transfer Station is not unique, there is a need to address security issues at the Transfer Station.

Atty. Gearreald explained his memo and the description what is conveyed in the deed. It is the source reference that describes the intent and purpose of constructing the access road to the Transfer Station. There is an expressive intent description that is in the deed, but does not mention specifically the prohibition of using this driveway to access to private property.

Discussion among Board Members and the Town Attorney:

Mr. Bateman asked if there is anything in the deed if the intent to use this as a Town Road. Atty. Gearreald stated no, there is not.

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Mr. Bateman spoke about contract dealings. What is implied within the covenants and good faith in the dealing. The right was given for a road to the transfer station, and not a road for public use. What was the intent.

It was noted that there are different interpretations of the contract and the deeds intent.

Mr. Griffin asked about the status of the land, does the document refer to this as an access road or driveway.

Atty. Gearreald explained that the legal status of this strip is that it is a driveway. The description of the road is described as a driveway in the deed.

Mr. Griffin spoke about the perception of the road from the resident's perspective, and safety issues; and the issue of the security at the Transfer Station. Suggested security systems installed to monitor the transfer station, parks, and other owned town property.

Mr. Bateman asked if the opening of the way create new issues especially with acceptance concerning other roads (acceptance petitions) within the Town.

Chairman would like to have a full board and the Town Manager in this discussion. There is the need for more research, and or study, which needs to be done to determine all the issues and the resolution of such. In addition would the LGC cover this road under the Town's insurance or not cover at all.

This item will be place on the agenda for discussion on April 21, 2008.

VI. New Business

Chairman Lally requested from the Board permission to reorder the agenda under New Business to hear Deputy Silva on the Acceptance of Fire Extinguishers under RSA 31:95-b from Sprint Nextel; before entering into the Non-Meeting with Counsel to discuss the request of the Municipal Budget Committee request.

1. Acceptance of Fire Extinguishers under RSA 31:95-b from Sprint Nextel

Mr. Bateman MOTIONED to Accept Twenty Fire Extinguishers under RSA 31:95-b from Sprint Nextel. Mr. Nichols SECONDED

VOTE: UNANIMOUS FOR

Non-Meeting with Counsel – RSA 91-A:2,I,c

Return of Board Members from the non-meeting.

2. Request of the Municipal Budget Committee

The Board will meet with the Municipal Budget Committee on April 15, 2008.

Mr. Nichols explained that while the Municipal Budget Committee would like to meet with the Board of Selectmen to discuss the question of what is within the public's domain for the collective bargaining agreements before the Town Warrant, Mr. Nichols explained that it would be pre-mature to discuss this topic at the April 15, 2008 meeting because the Board of Selectmen will be meeting with Labor Council on April 17, 2008 on this subject.

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VII. Consent Agenda

1. Land Lease Agreement for 48 Ashworth Avenue.

Mr. Bateman MOTIONED to move the consent order. Mr. Mr. Lally SECONDED

VOTE: UNANIMOUS FOR

VIII. Public Comments

Mr. Michael Price, 16 Hedman Avenue. Thanked the Board with agreeing to meet with the Committee.

Christopher Webb, 527 Winnacunnet Road. Self employed and has a proposal to improve the appearance of our local streets.

Mr. Lally explained to Mr. Webb that the public comment period is reserved for only items which were on the agenda and discussed and that Mr. Webb is welcome to request to be place on a future agenda to discuss his proposal.

IX. Closing Comments

None

X. Adjournment

Mr. MOTIONED to adjourn. Mr. SECONDED

Meeting adjourned at 9:10PM

VOTE: UNANIMOUS FOR


Chairman