

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN'S MEETING MINUTES OF APRIL 14, 2008

PRESENT: William Lally, Chairman
Richard Griffin, Vice Chairman
James Workman
Richard Nichols
Richard Bateman
Fred Welch, Town Manager
Kristina Ostman, Administrative Assistant

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

SALUTE TO THE FLAG

I. Announcements and Community Calendar. No Announcements and Community Calendar

II. Appointments

1. Ellen Lavin, Town Treasurer - Tax Anticipation Note (TAN)

Town Treasurer Lavin explained the Tax Anticipation Note (TAN) and outlined that she, as the treasurer, will be borrowing up to 8 Million from Citizens Bank at an interest rate of 2.8%; to pay the Town's expenses. Mrs. Lavin explained the process in which she borrows the money and how the amount is paid back. The Town can not borrow more then an accumulative total of 8 million, which is done over a nine month period. The cash flow sheet proves that there is a need for the eight million dollars. Financially, the town is better off due to not having large development or construction projects.

Mr. Nichols MOTIONED to approve and sign the Tax Anticipation Note (TAN). Mr. Bateman SECONDED

VOTE: UNANIMOUS FOR

2. Michael Schwotzer, Finance Director – Monthly Financials

Mr. Schwotzer discussed the March 2008 Financial Statements with the Selectmen. Overall, the departments are running at 21.6% of budget vs. a 25% target. Fire suppression's OT related accounts continue to run below the '08 budgeted level and at half of '07's YTD rate. The annual town audit is underway and will take two weeks. A complete copy of the March financials is posted on the Town's Web site.

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Open Discussion.

Mr. Nichols has concerns on the revenue side: Motor vehicle revenues are behind as well as new vehicle sales. Mr. Nichols also mentioned his concerns with the Trust Fund.

Mr. Schwotzer explained about the motor vehicle revenues; the revenues will over the course of a year even out, as birthdays do not occur as a predictable number within any given month.

Mr. Schwotzer commented that the Selectmen have spent \$2000.00 of their budget and will be over the budgeted amount before the fiscal year ends. The reason the BOS's budget will be over, is due to the binding of the minutes of the BOS.

3. Ellen Goethel and Peter Tilton, representatives from the Hampton Conservation Commission. To discuss the Management document for the Ice Pond property which was attained by the Town due to non-payment of taxes.

The Commission had questions and concerns about the following items on the agreement:

- The "no hunting" clause. The commission has continually at public hearings assured the residents of town that hunting will be allowed on all of the lands purchased with Town funds including but not limited to the Whites Lane area, Hurd Farm and the adjacent Ice Pond Property. The piece of property under consideration appears to be all within 300 feet of structures, roads etc, which would preclude hunting by State Law. Therefore the Commission did not feel that a no hunting clause would be necessary. The Commission contacted State Fish and Game and were informed that the State RSA's protect land owners from prosecution due to accidents due to hunting etc. as long as the owner is not charging for the use of the land and proper signage is posted.
- The Commission feels strongly about the ability to hunt on town property as long as that activity meets with state hunting laws.
- We also are concerned with the policing of the property as we do not have that capacity. The selectmen agreed that the police would be involved in any possible infractions.
- We were also concerned with the cost of signage and maintenance etc., as our "Land Conservation Fund" has not had any deposits in it for over 5 years. We will definitely need funding at some point in the future.
- The Town Manager also clarified the reason for the one year renewal, as a way to have a joint meeting between the Conservation Commission and the Board of Selectmen.

Open discussion ensued on each topic.

The selectmen suggested that the "no hunting" clause be re-worded with a statement which would mirror the state hunting law.

The Board agreed that the agreement's points 5 & 6 can be removed.

The Town Manager will rewrite the segments and submit it to the Conservation Commission for signature.

4. Chris Webb – Clean Street Initiative

Mr. Webb explained that he has lived in the town of Hampton for 15 years. In general the Clean Street Initiative is an attempt to have a coordinated effort to clean Route 1, Winnacunnet Road, and High Street by the citizens and business owners and this event would occur on May 3rd 2008.

The information on the clean street initiative will be posted on the Town's website.

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5. Maury Friedman – Planning for the needs of the Town of Hampton and his suggestions for implantation of said.

Mr. Friedman discussed a two point strategy which was offered to the selectmen to help the town move forward in this changing environment and to help address the subsequent needs of the town.

- 1) Analysis of how to best meet the space needs of the town as it is a complex undertaking and must consider placement of town function so as to maximize the potential for interdepartmental cooperation and possible reuse of school building in the light of the declining K-8 school population.
- 2) Analyze the operation of town departments with the potential to improve services and reduce service cost. The nature of the work being done by town employees is changing with the emergence of new technologies, better equipment, greater emphasis on community policing and significantly better fire protection.

Discussion between Mr. Bateman and Mr. Friedman on the issue of the changing environment and how that subject is viewed and implemented.

Mr. Griffin stated that by listening to the voters change will occur and thanked Mr. Friedman.

Mr. Nichols agrees that there have been substantial changes and there will be more to come.

Mr. Workman explained that a comparison can not be made between the Town and a company which makes widgets and could or would outsource the work to save costs. The Town could not operate in such a fashion.

Chairman Lally summed up Mr. Friedman's letter and although there are merits to the suggestions, budget costs will prevent some changes from happening.

III. Minutes – April 07, 2008

Page 6. Correct Mr. Workman's statement to be the following: Mr. Workman outlined his list of objectives: the fire stations, ratifying the contracts and how the town votes on the warrant articles.

Page 6. Under new business re-word Mr. Nichols statement to the following: Mr. Nichols requested again that the minutes and the agendas of the Hampton Beach Area Commission be made available to the public, also that the meetings be televised. Mr. Nichols also suggested sending a letter from the BOS to HBAC requesting them to post the minutes and the agendas on the website and to have their meetings televised.

Mr. Nichols MOTIONED to accept the minutes as correct. Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

IV. Old Business

1. Town Manager's Report

- A. I would like to thank Michael Schwotzer for his work in filling in as the acting Town Manager during my absence for 8 days. His outstanding work during this period is appreciated.
- B. Bids were awarded to various vendors for the purchase of aggregates for the coming year as follows: Crushed gravel at \$10.00 per ton to Pike Industries as the low of 5 bidders; Bank run gravel at \$9.30 per ton to Concord Sand and Gravel as the low of 5 bidders; Sand at \$9.65 per ton

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to Concord Sand and Gravel as the low of 5 bidders; ¾ inch stone to Pike Industries at \$13.75 per ton as the low of 5 bidders.

- C. The bid for crack sealing of roadway surfaces was awarded to Nimco Coatings Corporation as the low of 2 bidders at a cost of \$9.75 per gallon applied.
- D. The bid for various types of lawn mowing was awarded to Liberty Landscaping as the low bidder of 9 bidders for a lump sum of \$14,816 for 2008.
- E. The bid for highway resurfacing with hot mix was awarded to Brox Industries for various costs depending on type of materials applied.
- F. The annual usage of the Court House front lawn area by the Hampton Garden Club for their annual plant sale was approved for May 17 from 8 AM to 2 PM with a rain date of May 18th.
- G. New Hampshire Arbor Day
- H. The Perambulation of the Town's boundaries is due this year and the Town Manger will schedule with Seabrook and Exeter Selectmen's to walk the boundary of bordering towns.

Open discussion on items of the Town Manager's Report.

Mr. Workman suggested that the date for the Perambulation of the Town's boundaries be scheduled for late October, early November.

Mr. Nichols questioned the money amount of the bid for the Bituminous Concrete. Mr. Welch explained that the cost of gas to fuel the transportation of these products has caused prices to go up.

Mr. Nichols questioned the lawn mowing contract and its cost. Mr. Welch explained that the bid was initiated as a cost saving measure, and its purpose was to identify the actual cost of the service, to direct the Town in relation to the cost, if the Town chose to employ seasonal help for this work.

Mr. Griffin asked about Arbor Day. Mr. Welch explained the differences between the State Arbor Day and the National Arbor Day.

Chairman Lally asked about collation communities. Mr. Welch explained that this is item will be discussed at the April 21, 2008 Selectmen's meeting.

Mr. Griffin brought up the issue of the opening of the gates on Hardardt's way.

Open discussion on the opening of the gates on Hardardt's Way and the associated effects on Tide Mill Road and Landing Road.

Mr. Welch explained that there are additional issues on liability that should be addressed, before the discussion.

Mr. Griffin would like to address this issue this evening, Mr. Griffin believes all the necessary information has been obtained for this issue and would like to vote this evening. Mr. Griffin stated that the BOS needs to move forward on this issue.

It was noted that the public was notified that the discussion and action on the opening of the gates will be held on April 21, 2008.

Mr. Nichols stated again that he would like the BOS to send a letter to HBAC, which would encourage the posting of the minutes and agendas and to request that the HBAC meetings be televised. Mr. Nichols noted that the other Boards have been quite consistent in posting their minutes and agendas.

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Mr. Workman explained that the HBAC is a state committee and is unlike other boards within the town's preview. The members of the HBAC are not elected by Town Meeting nor are they appointed by the Selectmen.

Chairman Lally spoke to the issue of expanding the Channel 22 volunteer base.

Discussion on the fiscal situation and equipment capabilities of Channel 22 and their ability to televise all the committee and or commission meetings.

Mr. Nichols reiterated his objectives from the April 7, 2008 Selectmen's meeting. The restructuring of debt, contractual negotiations, trash and recycling, and again is looking for direction as to where the board goes from here.

Mr. Bateman asked if there is a chance to refinance the police station with the new loan for the fire station.

Mr. Welch explained that the margin for refinancing for the police station would not be economically feasible as the bond is at three years, had it been at the five year mark, maybe, but to stretch three years to fifteen years would not be wise. A large amount of the towns' current debt is in sewer loans from the state.

Mr. Bateman explained that having a re-structuring plan can save money; although often then not, the plan is not implemented, but it is wise to have a plan to refer to if the need should arise.

Chairman Lally identified that the Board will be starting the dialog with the public on the new Fire Station during the Selectmen's meeting on the 5th of May and that the Beach Precinct Commissioner's are to be invited.

Mr. Welch mentioned that a public hearing for Francis and Lyons Streets to be designated as emergency lanes will be held on April 21, 2008

Discussion on the objectives and the budget items continued.

V. New Business

Chairman Lally asked about the date of the yearly yard waste event and was informed that notice has not been made to the board as of this date.

VI. Consent Agenda

1. Parade License – Kupenda 5K Race- Andrew Bayer
2. Leased Land Sale Agreement – Peter & Diane Selder – 19 Epping Avenue

Mr. Workman MOTIONED to approve the consent agenda. Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

VII. Public Comments

Mr. Rice from the Hampton Beach Area Commission.

Mr. Rice explained the composition of the commission and what the commission is all about. The purpose of the HBAC is to bring the seven parties who have interests at the Beach, together. This is a state appointed commission, and the town does not have jurisdiction over this board.

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Mr. Rice explained that the HBAC is not against the publicity of the board, but the commission will not be taking the initiative to publicize the meetings, nor do they have funding for that purpose or for clerical support to take the minutes. There would be an expense associated with televising the meetings as the Channel 22's equipment is not at the location where the meetings are held. The commission does not have the funding to provide Channel 22 equipment to televise at that location (the Police Station).

The policy of the HBAC is that the meetings are a working session and the agendas are the same every week. The meetings are open to the public, however the public does not have an opportunity to voice their opinion, as there is not a public comment period and suggests that anyone who has a concern or issue to please go to their respective representative and have that person bring the issue or concern to the commission for discussion.

Mr. Nichols made a comment to Mr. Rice's comment of that the HBAC being a State appointed Board and not being a town board and the choice in not having a public comment session and understood that that is the prerogative of the HBAC not to have a comment period.

Mr. Nichols also indicated that he understood that the HBAC has had problems with the minutes but are catching up. Mr. Rice responded yes.

Mr. Nichols then asked if they would have a problem in hosting them when they were caught up to the website to the section where the HBAC is.

Mr. Rice responded yes. And yes, he had had put that on it (HBAC on the Website). The agendas are standard and any specific item would be highlighted if it the board was aware of it in advance of the meeting. Agendas and minutes are created for every meeting in which the commission holds, and the minutes are available when they are done.

Mr. Nichols asked Mr. Rice would be open to televising the meetings on Ch. 22. Mr. Rice indicated he would have not problem with that. But he felt that the other town boards should be televised before this commission is, as he felt that the Town Boards were more important, for example the Trustee of the Trust Fund.

Mr. Lessard, 171 Mill Road. Mr. Lessard thanked Ch 22 for bringing the meeting into his home as he is here to comment on the caviler comment that was made in reference to not installing sewage in the west side as the sewerage would cause more development in that area. The area west of 95 is already heavily developed and should be sewerage for the health and safety of the people who live there. The area needs to be sewerage, especially since there is no public water. This issue should not fall off the radar.

VIII. Closing Comments -None

IX. Adjournment

Mr. Bateman MOTIONED to adjourn. Mr. Lally SECONDED

Meeting adjourned at 9:10PM

VOTE: UNANIMOUS FOR


Chairman