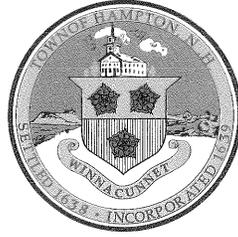


Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN MEETING MAY 12, 2008 MINUTES

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

REGRETS Richard Bateman

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

SALUTE TO THE FLAG

Chairman Lally introduced those in attendance.

I. Public Hearing –Adopting Revised 201 Facility Plan Update Report for Municipal Sewer System.

A Public Hearing was held in regard to the 201 Facilities Plan Update developed by Fay, Spofford & Thorndike.

Mr. John Hangen, Pubic Works Director introduced Mr. Tom Jenkins of Fay, Spofford, and Thorndike (FST). Mr. Jenkins is the engineer who did the study regarding the present and future aspects of our waste water treatment facilities, piping, sewers, costs, etc.

DPW Director John Hangen recapped from the presentation given at the April 28, 2008 Selectmen's Meeting. Mr. Hangen gave an introductory summary of the history and development of the Town's Facilities planning efforts and described the general status of the Town's waste water collection and treatment system.

Mr. Lally referred to the last presentation and the questions that were already answered and the high costs of involved.

Mr. Nichols referred back to former questions regarding aging pipes and pump stations and questions where repair costs were reflected in the agreement.

Mr. Tom Jenkins from Fay, Spofford & Thorndike (FST) stated that the costs for Church Street Pump Station were not in the document and suggested asking the gentlemen in the audience from Wight Pierce to comment.

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Question on the Facilities Plan costs for the pump stations, the most critical is the Church Street station and the cost is an appendix to the larger document. The smaller document is a synopsis of the larger document that was submitted to the Town and Selectmen in April, 2008. There are 11 pump stations, and the four pump stations that are highlighted are the stations that are identified as needing upgrades to handle the capacity projected for the growth of the town

Topics of discussion included: Outfall alternatives and costs; Degree of treatment vs outfall alternatives; pumping station costs; Financing of work through bond issues and cost sharing with Rye.

Mr. Moody, 3 Thomsen Street. Mr. Moody questioned how much Rye is paying toward the sewer infrastructure.

Mr. Hangen stated that the Town of Rye pays for their use of the sewer. Each year, based on volume; which is measured; the Town of Rye is charged for the volume of sewage and pays the 4% of the sewage cost.

Mr. Pierce, 16 Hedman Ave. Mr. Pierce had questions about environmental concerns and the waste water being pumped into the ocean. He suggests treating the water rather than dumping it. Mr. Hangen explained that treating the water is very costly and noted that they do treat the water to government regulations before it is piped into the ocean.

Mary Louise Woolsey, Little River Road. Ms. Woolsey commented on the tertiary treatment, and gave a history of the bonding on the sewer construction. And ask if there were any Federal Bonds available to fund these upgrade.

Mr. Hangen explained about the cost of tertiary treatment and that if we were to go to that then the entire waste water treatment plant would need to be replaced. As it has already been hard enough to get the funds to update the treatment system let alone build a whole new one.

Mr. Welch explained that the town is just responsible for filing the 201 Plan with the state and federal government and it is not a statement to fund the suggested improvements.

Following discussion, Chairman Lally asked for a motion to adopt the 201 Facilities Plan and to file it with the New Hampshire Department of Environmental Services

Mr. Workman moved the request; Mr. Griffin seconded the motion and it was unanimously approved.

Copies of the 201 Facilities Plan are available for review at the Town Hall and the Town Library.

II. Public Comment

Mr. Moody, 3 Thomsen Road. Spoke about his opposition to the Rye Sewer Agreement.

Mr. De Marco, 11 Milburn Ave. Spoke on the issues of the House Bill 1645; and removal of Mace Road.

Ms. Woolsey, Little River Road. Spoke on the issue of the removal of Mace Road and the Rye Sewer Agreement.

Mr. Richard Beaulieu. Spoke in favor of the outfall into the Ocean. Gave a history of sewage dumping in of New Hampshire, and suggested a pipe to the Merrimack River to dump the sewage.

Ms. Judy Parks, Chairman of the Hampton Safety Committee. Mace Road comes back and haunts the committee due to the many accidents that happen at five corners. The committee feels that it is time for a change.

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Mr. Pierce, 16 Hedman Avenue. In favor of a roundabout for Mace Road, and does not support the proposed scheme.

III. Announcements and Community Calendar

Mr. Workman - May 17th – Fishing Derby at Bachelor Pond – Fishing licenses are available at Town Hall

May 17th - American Legion's Old Fashioned Ham and Bean Supper at the Legion Hall– Seating at 5 and 6 pm

Mr. Lally - Jazz Festival Thursday evening at 6:30 at the Hampton Academy Junior High

IV. Appointments

1. Finance Director – Monthly Financial; Discussion of Budget Priorities 2009; & Request for Salary Adjustment for the Town Treasurer

Income and Expense Statements for the month ending April 30, 2008. The first three pages detail the income; the next page is a special Year-to-Date analysis of motor vehicle fees; then the expense summary by department (numbered 16 of 16); followed by fifteen pages (numbered 1, through 15 of 16) of departmental expenses by line item; next is the report dealing with Fire Suppression's overtime costs; then the remainder are the revolving accounts (Rec.; Cable; Detail; and EMS).

This is the fourth report of 2008, and my comments will continue to be brief due to the fact that two thirds of the year are still to come.

Notable items:

- April's Income Statement shows \$1.6M or 25% of the budget being collected on a year to date basis. Dog license income is up 73% over April last year as a result of the Town Clerk's office sending out reminder notices. Due to a change in the Trustees of the Trust Funds' policies, the Town received the first installment (\$150k) of the 2008 Real Estate Trust Income. In prior years, the money was not available until year end.
- The next page shows the year-to-date motor vehicle fees collected with a comparison to 2007. A quick review of the analysis reveals that last year's month to month totals fluctuated as much \$150k. The current year is 5% behind '07 and 3% behind the '08 budget target. Due to the current economy, I believe that the year end total will finish with a shortfall of between 3 and 5%.
- The Expense summary (numbered as page 16 of 16) shows the year to date expenses by department. At the end of April, the operating departments (with debt service) were 28.5% of the budget. This is lower than the month's target of 33.3%. The 4.8% difference is a small percentage but when figured against the total budget of \$25M, it equates to over \$1M of under expenditures on an annualized basis. Since we are now entering the busiest time of the year, this percent will probably shrink but will still result in a significant amount of money at year end.
- On pages 1 through 15, the majority of the departments are below the target level and don't have any major issues.
- On page 2 of 16, the Audit Services line will reflect the annual audit costs in May. The field work took 9 days and the final report should be available shortly. Information required by GASB 34 has begun to be accumulated by the different departments.

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- On page 4 of 16, the Town Office building maintenance account is now at 82% of the total year's budget. Charges to this account have slowed but I am still forecasting that we will go over budget this year.
- On page 6 of 16, the regular wage account in Crime Control & Investigations is at 43% of budget. This is a result of the full time Juvenile Officer being transferred from Traffic without adjusting the budgeted figures. The variance in the two wage accounts will offset each other.
- Continuing the discussion of the Fire Suppression's overtime coverage expense (shown on page 8 of 16), the new report (following page 15 of 16) shows that on a year to date basis, the "total" overtime is running at 25.3% vs. the target of 33.3%. It should also be noticed that the actual 2008 O/T is currently running at approximately half of last year's (2007) rate.
- On page 13 (of 16), the Welfare Department is running at 20.4% of budget. This is a result of several factors: welfare officer's experience and use of other community services, rental out-reach programs and the Federal tax refund / rebate season.
- On page 15 (of 16), the TAN expense is still at \$0. The first \$500k was borrowed this week by the Town Treasurer. At this same time last year, TAN borrowings were \$3.5M
- At the bottom of page 15 (of 16), the PO analysis shows that over 67% of the 2007 encumbrances were paid out through the end of April. Included in the open POs are \$48k relates to a FEMA project. It is close to being completed and will be followed by a request for State reimbursement.
- With regards to the revolving accounts (last four pages) Comstar's AR report runs a month behind on average and so only three month's income is being shown for the EMS fund (027) versus four months of expenses.

General Questions

Mr. Nichols asked about the order in which the report is written.

Mr. Workman asked about the municipal insurance dues and solid waste dues, also commented on the reported overtime for the police department. Also asked what the town is planning on doing about the rising fuel costs and noted that the budget must adjust to make the funds available for fuel especially in the winter months when heating is necessary in all town buildings.

Mr. Schwotzer gave provided to the Selectmen two handout's. The first explained Mr. Nichols email request to Mr. Schwotzer. The 3% tax impact increase over last year comes to 26.2 million dollars as a target for a warrant article.

Mr. Schwotzer explained about the Town Treasurer Ms. Lavin's request for a pay raise to the stipend that she receives. Mr. Schwotzer praised Ms. Lavin's work and requested the Selectmen to approve the increase.

Mr. Nichols asked about the comparisons of what surrounding towns pay their Treasurers. Mr. Schwotzer stated that he can not debate that issue of the comparing what the surrounding towns pay their Treasurers, as presented by Mr. Nichols.

Mr. Welch was asked how many employees are not in contracts. He stated that there are about twenty employees.

The Board requested of Mr. Schwotzer an analysis of the Treasurer's pay in respect to what she does and what she handles.

V. Minutes – May 05, 2008

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Page eight. Correction of April 21, Minutes to reflect the vote on page 10 referencing the nay vote of Mr. Bateman. (Nichols to Bateman).

Mr. Griffin MOTIONED to approve of the minutes of May 05, 2008 with the stated corrections. Mr. Nichols SECONDED

VOTE: UNANIMOUS FOR

VI. Old Business

1. Town Manager's Report

- The public is invited to the Hampton Beach Design Workshop on May 15th from 6 to 8 PM in the Hampton Police Department Community Room. The consultants will present a short presentation of the proposed plans for Hampton Beach State Park changes and citizens will then be offered an opportunity to give specific commentary about the designs and alternatives.
- Please make note that Hampton Harbor has been closed to shell fishing due to a red tide restriction. Updates on red tide restricts may be obtained by calling the Clam Flat Hotline at 800-43-CLAMS or can be seen on line at www.wildlife.state.nh.us/fishing/clam-flat-status
- Please remember the Hampton Garden Clubs plant sale on Saturday May 17th from 8 AM to 1 PM at the old Court House on Winnacunnet Road
- Hampton Then and Now Historic Trolley Tour will be on Sunday, May 18th at 2 PM from the Tuck Museum. Cost is \$15 (\$10 for Hampton Historical Society Members) \$8 for students. Reservations are required. Call 929-0781
- The Town Clerk reports that there are less than 400 dogs to be registered. Please register your dogs now to avoid higher penalties as time passes.
- Mama Leone's Liquor License.
- Have not received the recommendation for the RPC Representative from the Planning Board.
- Requests for waiver of the 15-day comment period on two liquor licenses.
- Request for acceptance of a donation of a park bench at Kid's Kingdom Park in memory of Tammy Ciolfi.

Mr. Griffin MOTIONED to request the State to suspend the 15-day comment period on Mama Leone's and the Lighthouse Market. Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

2. Removal of Mace Road from the Five Corners Interchange

Mr. Welch explained his concerns with this proposal; he is not prepared to start the process of looking into the feasibility of this proposal unless the board wants the research to be done. He does not recommend that the town change five corners.

Board Discussion on the history of the intersection; the recurring problem of this intersection; the expense of a roundabout; signalization; and road reconfiguration of the area.

Judy Park. Chairman of the Safety Committee, asked if Rockingham Planning Commission has funding available for engineering services for this intersection. The committee would not be in favor of a roundabout, the solution should be safe and simple.

Discussion on who could be contacted to do research on this situation.

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3. Scheduling of Public Hearings on the proposed re-location of the Sewer Easement, Michael Green Lot 10-1 (#4) Fielding Lane

Atty. Gearreald explained the request and the public hearing process for this sewer easement. It is a two part process. Acquiring a new sewer easement and abandoning the old easement.

The Board will hold the first Public Hearing on May 19th, the second Public Hearing on June 2nd, and the vote will be on June 16th, 2008.

4. Renewal of Intermunicipal Agreement for Treatment and Disposal of Waste Water (Town of Rye)

Atty. Gearreald explained the sewer agreement from a legal point of view and explained how the town of Rye pays Hampton for the waste water treatment. He notes that the selectmen do not have the authority to decide if the contract should be renewed due to a town meeting in 1989 that took that power away from them. He suggests that there should be a town meeting to decide the length of the contract and that some response to the letter asking for the renewal be made.

Mr. Welch noted that this would need to be a warrant article once everything is decided upon.

Mr. Griffin MOTIONED to authorize the Town Manager to send the letter referencing the Renewal of Intermunicipal Agreement for Treatment and Disposal of Wastewater (Town of Rye). Mr. Nichols

SECONDED

VOTE: UNANIMOUS FOR

VII. New Business

1. Discussion on inviting the Town's Legislative Representatives to discuss positions on Donor Towns and Retirement Plan Legislation.

Mr. Nichols explained that he would like to try and convince the Representatives that Hampton should not be a donor town and would like to be able to ask questions on the subject. He also feels that it should be aired on channel 22 because the public has a right to hear what they have to say.

Mr. Welch would like to do this quarterly rather than have it be just a one time thing. He also comments that the retirement bill is a large issue with a lot of comment as is the school donor town bill. The retirement bill affects more than just the employees; it may also affect welfare.

The meeting will begin at 6:00 PM on May 19th and will be televised. It will be in regards to a discussion with town employees on the issue of the retirement bill. This issue as well as the issue of donor towns will be discussed on June 2nd with the representatives.

2. Request for acceptance of a donation of a park bench at Kid's Kingdom Park in memory of Tammy Ciolfi

Mr. Griffin MOTIONED to accept the donation of a park bench at Kid's Kingdom in memory of Tammy Ciolfi. Mr. Lally SECONDED

VOTE: UNANIMOUS FOR

Mr. Nichols brought up Ms. Emily Thomas drainage issue.

Mr. Welch explained the situation and has instructed DPW to feather the drive to correct the problem.

VIII. Consent Agenda

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1. Parade License – Janet Crane request for exemption from liability insurance requirement.

Pulled from consent order for discussion by Mr. Lally.

Janet Crane is having a fund raising 5K walk for cancer research at Mass General Hospital during the month of September.

The town policy is to have a one million dollar insurance policy as people do become injured during these types of walks or runs.

The board discussed the facts and most agree that the insurance is mandatory for safety reasons.

Mr. Workman MOTIONED to deny the exemption request by Janet Crane from the liability insurance requirement for her walk. Mr. Lally SECONDED

VOTE: 3 - 1 (Griffin) - 0

2. Parade License NH Towing Association Tow & Trade Parade

Pulled from consent order for discussion by Mr. Nichols.

The concern is with the noise ordinance.

Mr. Griffin and Mr. Lally agree that the parade should stay as it is and note that it brings a lot of revenue and joy to the town of Hampton

Mr. Nichols MOTIONED to pass the Parade License for the NH Towing Association & Trade Parade Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

3. Dance Hall Permit – 169 Ocean Blvd.
4. Happy Clam Seating Capacity Increase and Liquor License Request
5. Appoint of Susan Hughes & Kris Sawyer as Alternates to the Lane Memorial Library Board of Trustees
6. Temporary Signs for the Hampton Garden Club May 15 - 17, 2008
7. Pine Road Closure for May 25th, 2008
8. Brothers North Restaurant & Lounge Seating Capacity Increase Request

Mr. Workman MOTIONED to move the balance of the consent agenda. Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

IX. Closing Comments

X. Adjournment

Mr. Griffin MOTIONED to adjourn. Mr. Nichols SECONDED

VOTE: UNANIMOUS FOR

Meeting adjourned at 9:25PM.



Chairman

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