

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN MINUTES SEPTEMBER 29, 2008

PRESENT: William Lally, Chairman
Richard Griffin, Vice Chairman
James Workman
Richard Nichols
Richard Bateman
Frederick Welch, Town Manager
Attorney Mark Gearreald, Town Attorney

Chairman Lally called the meeting to order at 7:00 PM

SALUTE TO THE FLAG

Chairman Lally introduced those in attendance.

I. Oath of Office

Miss Jane Cypher, Town Clerk swore in newly appointed Fire Chief Christopher Silver. With the statutory oath, Mr. Christopher Silver became Fire Chief for the Town of Hampton.

II. Public Hearing on Emergency Lane and Fire Lane status for "Manchester & Charles Streets"

Public Comments: Jerry Hanes, 11 Manchester Street, stated street has always been maintained by Town and not sure why all of a sudden it is being considered a private road. Mr. Lally explained that there are 29 private roads that had been treated as public ways, by plowing them.

Mr. Welch explained that before 1995 all roads are required to have been voted on at Town Meeting for acceptance as public ways. There are no records of these 29 streets ever being voted on for acceptance at Town Meeting.

Mr. Bateman MOTIONED that the Board declare Manchester Street to be an emergency lane under RSA 231:59-a for the limited purpose only enable the Town of Hampton to continue to plow snow from said Street during snow season, effective after September 1, 2008 and until rescinded by the Board and to make the following written findings submitted herewith in support of this Motion, which is accompanied by the joint memo dated April 5, 2007 from the Public Works Director, Fire Chief, and Police Chief. And, to declare Manchester Street to

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

be a fire lane as described in the written findings, based on the recommendation of Fire Chief Silver.

The Hampton Board of Selectmen make the following written findings in support of their decision to declare Manchester Street as an emergency lane under RSA 231:59-a to the limited extent of enabling the Town only to plow snow from said Street during snow season:

1. This private road is among the list of 29 or so of such roads that the Town has plowed snow on for years. The homes located on the private roads like this road in the Hampton Beach area tend to be older homes that are located in very close proximity to one another with very little setback from lot lines, heightening the risk that fires, once started will spread widely and quickly unless rapidly contained.
2. The proximity of this road at Hampton Beach to the shore makes its location subject to higher winds, again heightening the risk that fires, once started, will spread widely and quickly unless rapidly contained.
3. The Public Works Director, Fire Chief and Police Chief have written the attached joint memo to this Board dated April 5, 2007 recommending that this road among others, be declared emergency lanes under RSA 231:59-a. The findings of these Departments Heads are incorporated by reference as part of these findings as they address the public need for keeping such roads passable by emergency vehicles and identify the public welfare and safety interests that surpass or differ from any private benefits to landowners abutting such roads.
4. This Board has declared this road to be a fire lane on both sides such that vehicles may be towed as necessary to enable effective plowing of snow to occur.
5. Snow plowing shall be limited to the paved width of this road.
6. No objection has been raised to this road being declared an emergency lane under N.H. RSA 231:59-a.

Mr. Griffin SECONDED.

VOTE: 5-0-0

Mr. Bateman MOTIONED that the Board declare Charles Street to be an emergency lane under RSA 231:59-a for the limited purpose only enable the Town of Hampton to continue to plow snow from said Street during snow season, effective after September 1, 2008 and until rescinded by the Board and to make the following written findings submitted herewith in support of this Motion, which is accompanied by the joint memo dated April 5, 2007 from the Public Works Director, Fire Chief, and Police Chief. And, to declare Charles Street to be a fire lane as described in the written findings, based on the recommendation of Fire Chief Silver.

The Hampton Board of Selectmen make the following written findings in support of their decision to declare Charles Street as an emergency lane under RSA 231:59-a to the limited extent of enabling the Town only to plow snow from said Street during snow season:

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

1. This private road is among the list of 29 or so of such roads that the Town has plowed snow on for years.
2. The homes located on the private roads like this road in the Hampton Beach area tend to be older homes that are located in very close proximity to one another with very little setback from lot lines, heightening the risk that fires, once started will spread widely and quickly unless rapidly contained.
3. The proximity of this road at Hampton Beach to the shore makes its location subject to higher winds, again heightening the risk that fires, once started, will spread widely and quickly unless rapidly contained.
4. The Public Works Director, Fire Chief and Police Chief have written the attached joint memo to this Board dated April 5, 2007 recommending that this road among others, be declared emergency lanes under RSA 231:59-a. The findings of these Departments Heads are incorporated by reference as part of these findings as they address the public need for keeping such roads passable by emergency vehicles and identify the public welfare and safety interests that surpass or differ from any private benefits to landowners abutting such roads.
5. This Board has declared this road to be a fire lane on both sides such that vehicles may be towed as necessary to enable effective plowing of snow to occur.
6. Snow plowing shall be limited to the paved width of this road.
7. No objection has been raised to this road being declared an emergency lane under N.H. RSA 231:59-a.

Mr. Griffin SECONDED.

VOTE: 5-0-0

III. Public Comment Period

Mr. Nichols was happy to see agenda posted on Friday.

Mr. Mike Pierce, 16 Hedman Ave., hates to come here and talk like this but we have elephants at the door. Mr. Pierce is concerned with the status of the State Retirement System, school funding, the state budget and state expenses that are being moved down to the county. He can only recommend that everyone be very cautious when looking at the budget tonight and this year.

IV. Announcements and Community Calendar

Mr. Lally asked for a moment of silence in honor of Catherine Redden, retired Library Director, who died on Friday.

V. Appointments

1. Skip Webb – James House Association

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

Mr. Webb explained that the James House is similar to the Historical Society in regards to the Town. Their mission is to provide free education to the public including the history of the James Family, the Campbell Family and social and economic influences on Hampton between 1700 and 1950. It has been a banner year as far as progress on the education side. Mr. Webb went on to discuss the many things that James House has to offer and encourages individuals to visit their website at jameshousemuseum.com.

Mr. Webb then thanked the individuals who participated in the workdays and tours. Reminded the public that they will be having the Apple, Pear, Blueberry competition coming up on October 11th and you can obtain an application at the Library. Lastly, he wanted everyone to know that the James House is also participating in the membership challenge like the Historical Society.

2. Tracey Emerick – CIP Final Report 2009-2015

Mr. Emerick presented to the board the CIP report, which can be found in the meeting agenda folder.

Question from the Board. Mr. Nichols verified with Mr. Emerick that the job of the Capital Improvement Committee preparing this CIP report is more of an administrative process and they do not have any policy authority. They just put the items in that are brought to them by department heads.

Mr. Workman questioned whether there should be a police line item. Mr. Emerick explained that the cut off point for CIP is \$75,000. That is why Recreation and Police do not have a line item.

After giving the CIP report Mr. Emerick changed hats and wanted to set the stage for the next appointment Galley Hatch Parking. He explained that the applicant did submit plans for the T-intersection at the corner of Winnacunnet and Lafayette Road to the Planning Board. The problem that the Planning Board has is that it is Town property therefore; they do not have the authority to approve the application. Therefore, the Planning Board has not voted on these plans.

3. Peter Saari – Galley Hatch Parking

Mr. Saari explained to the Board that originally they were just going to deal with the retail space. However, for safety reasons, the Tinios family would like to have the T-intersection, and in return for the road improvement cost's they would like the Town to give them permission to additional parking spaces on town property.

Mr. Joe Coronoti, Engineer from Jones and Beach explained the plans with the T-intersection.

Questions and Comments from Board:

Mr. Bateman and Mr. Griffin agree that the intersection is very dangerous and therefore this is a good plan.

Mr. Nichols questioned on what grounds the town would allow them to use Town owned property.

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

Mr. Workman explained that we would probably need to bring it to Town Meeting for vote.

Mr. Saari agreed that it would need to go to the Town for vote and expressed that at this time they are looking to the Selectmen for support.

Mr. Nichols expressed that he is not opposed to the idea. However, he does not feel comfortable giving his support at this time because he is not informed enough.

Mr. Workman suggested getting an appraisal on the land and comparing it to the cost of the road improvements.

Mr. Lally would also be in favor of the project after getting the proper information.

Mr. Gearreald explained that the Board does have the authority to reconfigure an intersection. However, if something that was once used as a highway were going to be deeded to an entity there would need to be a discontinuance vote at the Town Meeting. Therefore, there might be a need for two articles.

Mr. Tinios spoke on behalf of his family and gave some history on the property.

VI. Budget Reviews

1. Police Department

Chief Sullivan explained that the budget is basically a copy of last year except in regards to energy costs. Mr. Nichols pointed out a 1% increase over last year. The biggest changes seem to be moving of wages from one wage account to another.

2. Town Clerk

Miss Cypher suggested that they open up to questions since there was little to no change to her budget. Mr. Workman questioned why the ballot clerk expenses are up since there are fewer elections next year. Mr. Schwotzer explained that it was due to the Accu-Vote ballot machines and voting booths totaling \$14,000, which brings it up by 21%. Mr. Nichols pointed out that the bottom line goes down by \$4,000.

3. Debt Service

Mr. Schwotzer explained a slight increase of about 1/2%. Mr. Nichols questioned the Hurd Farm interest was up by \$4,000. Mr. Schwotzer will look into this line item.

4. Selectmen's

Mr. Schwotzer explained the big change here was the binding of the minutes.

5. Town Manager's

Some expenses were moved from the Finance Department budget to the Town Manager's budget. The two items that were moved were the Administrative Assistant wages and the cost for transcriptions.

6. Budget Committee

No comments.

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

7. Highway Safety Committee
No comments.
8. District Court
No comments.
9. Patriotic
Budget the same as last year.
10. Town Beautification
No Comments.

General Questions on the budget:

Mr. Nichols wanted the public to know that the overall increase in the budget is 7%. He also pointed out the largest increase is under personnel which is due to employee separation cost and retirements. The other large increase was in Public Works for non-discretionary cost like utilities, fuel, chemicals and other similar items. Mr. Nichols questioned whether or not there were any areas that this budget could be cut. Mr. Nichols has some ideas but feels that the department heads would be better judges. There was also a discussion on how the number is calculated for employee separation cost.

Mr. Lally asked Mr. Schwotzer to explain HB1645 to the public once again. Mr. Schwotzer explained that a retiree's pension is calculated on their last 3 years of wages. The retirement system is now putting responsibility back to the Town in regards to employees who retire and are not currently covered by a contract. This affects the Town since many employees are not currently covered under a contract. The Town could possibly be on the hook for about 72% of the retiree's pension.

Mr. Nichols requested that the Town Manager get a letter out to NHRS asking for clarification on at least two areas. The first area being does this section apply to employees associated with the two fire unions that opted not to sign Fred's proposed agreement that would have protected the town from these expenses? The second area being is it NHRS intention to bill on a lump sum basis due in the year of the retirement or on an annual basis over the period of the benefit?

There was a consensus of the Board to write this letter after consulting with legal counsel after the meeting.

VII. Minutes – September 22, 2008

Page One. Add last name to Frederick Welch.

Mr. Bateman MOTIONED to accept of the minutes of September 22, 2008 as amended. Mr. Nichols SECONDED.

VOTE: 4-0-1(Griffin)

TOWN OF HAMPTON
BOARD OF SELECTMEN
MINUTES SEPTEMBER 29, 2008

Mr. Lally MOTIONED to accept of the minutes of the Non-Public Meeting of September 22, 2008 as amended. Mr. Bateman SECONDED.

VOTE: 4-0-1(Griffin)

VIII. Old Business

1. Town Manager's Report

Mr. Welch presented his weekly report to the Board.

Questions from the Board:

Mr. Nichols update on the meeting with the candidates and could Mr. Welch prioritize the warrant articles.

Mr. Lally asked if we could add the Recycling Education Committee to the budget. Mr. Welch explained the ways that the Board could go about adding this line item to the budget. Board was in agreement that this line item should be added to the budget.

Mr. Bateman asked why the Town was still operating with only one postage machine. Mr. Welch confirmed that yes the Town only has one postage machine.

IX. New Business

Mr. Bateman MOTIONED to adjourn and convene for a Non-Public meeting under RSA 91-A:3, II (a) and (c) personnel matter for Board Members only after a Non-Meeting with Counsel – RSA 91-A: 2, I, c. Mr. Workman SECONDED.

ROLL CALL VOTE: 5-0-0

X. Consent Agenda

1. DOT Accessible Crosswalk across NH 1 A and Winnacunnet Road
2. Parade License – Knights of Columbus for "Pro-Life Chain"

Mr. Bateman MOTIONED to move the consent agenda. Mr. Griffin SECONDED.

VOTE: 5-0-0

XI. Closing Comments – No Comments

XII. Adjournment

Mr. Nichols MOTIONED to adjourn. Mr. Workman SECONDED.

Meeting adjourned at 9:15 PM.

VOTE: 5-0-0

Chairman