

Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, DECEMBER 01, 2008

PRESENT: William Lally, Chairman
Richard Griffin, Vice Chairman
James Workman
Richard Nichols
Richard Bateman
Frederick W. Welch, Town Manager

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

7:00 PM

SALUTE TO THE FLAG

I. Public Hearing on Emergency Lane and Fire Lane Status for "Gulseth Avenue"

No Public Comment.

Mr. Gearreald gave some background and explained that this was one of the ways that was put on a list back in 2007 for declaration.

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of Hampton to continue to plow snow from said Avenue during snow season, effective after September 1, 2008 and until rescinded by the Board and to make the following written findings submitted herewith in support of this Motion, which is accompanied by the joint memo dated April 5,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

The Board of Selectmen makes the following findings in support of their decision to declare Gulseth Avenue 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 was among the list of 29 or so of such roads that the Town has plowed snow from for years.
2. 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 roads, among others, be

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declared an emergency lane under RSA 231:59-a. The findings of these Department 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.

3. This Board has declared this road to be a fire lane on the east side such that vehicles may be towed as necessary to enable effective plowing of snow to occur.
4. Snow plowing shall be limited to the width of this road.
5. 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

Chairman Lally introduced the members of the Board.

II. Public Comment Period

No Public Comment

III. Announcements and Community Calendar

Mr. Bateman wanted to let residents know that on December 8th the Arlington Wreath Project will be driving through Town and ending at Winnacunnet High School at about 1:15. The caravan will be carrying about 10,000 wreaths to Arlington Cemetery. He also mentioned that the Hampton Professional Firefighters Chilli Cook Off earned about \$2,500 for the Toy Bank.

IV. Appointments

1. Chief Sullivan – Hampton Police Chief summarized the report that was provided to the Board touching on the following topics: arrests are up, motor vehicle accidents down, runaways up 126% primarily related to Odyssey House, personnel swore in Vitalijs Sorokins today, running within allotted budget, cruiser accidents, COPS grants update and informed the Board that he won through a raffle a “Laser Speed Measuring Device”.

Discussion:

Mr. Nichols asked about the cruiser that was totaled. Chief Sullivan explained that it was an older cruiser and one that was on the list to be replaced.

Mr. Workman asked what is a \$2,000 Laser Speed Measuring Device. Chief Sullivan explained that it is a laser speed measuring radar unit.

Mr. Griffin asked about the different items being sold at the beach like machetes and asked if the Chief was in favor of doing something about the sale of these items. Chief Sullivan explained that he definitely supports any legislation that would address the sale of these items.

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Chairman Lally confirmed that the sale of these items is definitely a concern of many residents. Chairman Lally asked if an ordinance could be passed that would surpass the State legislation. Mr. Welch explained that a couple of years ago the State repealed this legislation making it a local issue. Mr. Welch also let the Board know that legal counsel was looking into this and an answer would be brought back to the Board. Chairman Lally felt that the Board should continue to work with Mr. Welch, Chief Sullivan and Mr. Gearreald on this issue and hopefully have some answers before the stores begin to open in April.

Mr. Nichols MOTIONED to extend the COPS grant and authorize the Chief and the Manager to accept the grant with the provision that no funds are expended without consultation and approval by the Board of Selectmen. Mr. Griffin SECONDED.

VOTE: 5-0-0

2. Randy Radkay – 76 Kings Highway, Sewer lateral hook-ups. Mr. Radkay explained that he has been approved for two duplexes but has run into a problem with the sewer since there are no lateral hook-ups. He is before the Board requesting permission to open the road to install sewer lateral hook-ups to connect to the sewer.

Discussion:

Chairman Lally explained that there is a 5-year rule in regards to newly paved roads and whether or not they can be torn up.

Mr. Nichols feels there ought to be some sort of criteria or consistence that dictates when you go against the rule.

Chairman Lally informed the Board that the rule was brought up right after the Highland Ave Project was completed and the water company came in and wanted to tear up the road. That is when he believes why the 5-year rule was put in place.

Mr. Lessard expressed that normally the lateral are installed when sewer is, but when the sewer was put in by the Town, the lateral hook-ups were not.

Mr. Workman pointed out that at some point in the 1980's when sewer was installed on King's Highway, the laterals should have been put in and they were not.

Chairman Lally explained that the rule was to protect newly paved roads.

Additional discussion occurred on the issue of whether there are or are not water hook-ups in place; in the road; and the installation of "installing" water hook-ups will occur at the same time as the sewer laterals as only one trench will be dug.

Mr. Griffin MOTIONED to allow the opening of street's pavement on King's Highway for sewer lateral hook-ups (if necessary water hook-up will be installed as well) in accordance with the requirement of Chapter 3, Article 17 Ordinance Governing Work in Public Ways and Places and the Excavation of Streets of the Town Ordinance of 02/25/2008. The process of "diamond shape trench opening" will be in done and a bond will be secured for the work. Mr. Workman SECONDED

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VOTE: 5-0-0

V. Minutes of November 24, 2008

Mr. Griffin MOTIONED to accept the minutes of November 24, 2008. Mr. Workman SECONDED.

VOTE: 5-0-0

VI. Old Business

1. Town Manager's Report

The Town has officially engaged a new cleaning service for the Town Hall. Following bidding, the contract service was awarded to the low bidder Care America Property Services for \$1,120.00 per month. Our previous vendor who had provided the cleaning services for almost 20 years was the highest bidder at \$1,975 per month.

The office continues to work on the codification of Ordinances and votes of Town Meeting dealing with acceptance statutes, roadways, etc. from 1906 to date in preparation of developing a Municipal Code Book.

All of the Selectmen's Minutes from 1967 through 1977 and from 1995 through 2007 have been prepared and bound into permanent books. We have also had bound all Town Reports from 1906 through 2006 into permanent records. All permanent records are on file with the Town Clerk as required by law.

Discussion:

Mr. Welch also mentioned the following topics: donation of \$500 on consent agenda, the vision software is up and running, a letter has been sent to LGC about the anti spiking charge article, and the 50% goal for recycling and the fact that Plymouth is currently recycling $\frac{3}{4}$ of their solid waste.

Mr. Griffin spoke about the recycling and how people he spoke to from Exeter love the mainstream recycling.

Chairman Lally also confirmed that he has gotten some great feedback on the recycling.

2. Elderly Property Tax Exemption

Discussion:

Mr. Gearreald stated that there would need to be a warrant article if the amount is going to be changed.

Mr. Bateman stated that Hampton is the only one in the area that has a different asset amount for single and married. He also pointed out that the surrounding Town's have the same amount for both single and married.

Mr. Nichols feels that before a warrant article is drafted the Board needs to have some idea of the cost. Mr. Nichols also wanted to know if the Board is just looking to change the asset amount or if they wanted to also change the exemption amount.

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Mr. Welch stated that the last time he served in a community that changed the amounts they used a percentage index.

Mr. Bateman said that Hampton Falls' numbers seemed to be fair.

Chairman Lally recapped the numbers as follows: at age 65 going from \$82,000 to \$120,000, at age 75 going from \$115,000 to \$150,000 and at age 80 going from \$147,000 to \$165,000. Also change the single income from \$30,000 to \$38,000 and married income from \$50,000 to \$58,000.

Mr. Workman thinks the numbers look good and the only thing to look at now would be changing the asset numbers. His thoughts would be \$175,000 or \$200,000 for both single and married.

Mr. Nichols agreed and thought \$200,000 but would like to see the effect of this change.

Chairman Lally confirmed that the Board was in agreement on these numbers and will wait to see the cost of these changes from the Finance Director.

Other Old Business:

Mr. Nichols wanted to re-visit the T-Intersection on Winnacunnet Road and Route 1. He believes that the Board agreed that this would need to be a Town Meeting vote as opposed to the Selectmen and that a value of the land would need to be determined. He also was wondering what the public safety benefit would be of the T-Intersection if there was not a light installed. From what he has seen at the Planning Board thus far he does not believe that a light is being installed.

Mr. Bateman clarified that the project has gone as far as it can go with the Planning Board and now the negotiation process in regards to the T-Intersection has begun.

Mr. Nichols explained that it was his perception that there is no light. Before the Board goes through with a sponsored warrant article he thinks that they need to know the value of the land and exactly what the owners of the property are planning to do in regards to the intersection.

Mr. Bateman and Mr. Welch both believe that the owners do plan on putting in a light.

Mr. Welch will have counsel get an appraisal of the land and he will also confirm the exact details of the intersection for the Board.

Mr. Nichols also spoke on the anti spiking provision and a positive email that was received by the Board from legislation.

Mr. Nichols wanted to discuss the Salt Shed Warrant Article. He spoke with the Town Administrator in North Hampton since they just built a salt shed for about \$75,000. He would like to get an understanding on the pay back of this project. He would also like to see the difference between our project at \$225,000 as opposed to the \$75,000 spent by North Hampton.

VII. New Business

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1. Town Warrant for the re-acceptance of Warner Lane and Rosa Road

Discussion:

Mr. Welch gave the Board a little background and apparently there is a deed giving both of these roadways to the Town back on August 9, 1957. However there is no Town Meeting vote and no record of Selectmen vote. Mr. Welch needs the Boards thoughts on putting a warrant article together to accept this deed.

The Board agreed that a warrant article was the way to go.

2. Authorization for the re-organization of the Energy Committee.

Discussion:

Mr. Welch explained that the Board originally authorized the committee to be made up of 11 full time members. The chairman of the Energy Committee would like to re-organize the committee to be made up of 5 permanent members and 2 alternates or 7 permanent members and 3 alternates.

Mr. Griffin MOTIONED to re-organize the Energy Committee to five members and two alternates. Mr. Bateman SECONDED.

VOTE: 5-0-0

VIII. Consent Agenda

1. Acceptance of a donation of \$500.00 from Fairpoint Communications

Mr. Bateman MOTIONED to move the Consent agenda. Mr. Workman SECONDED

VOTE: 5-0-0

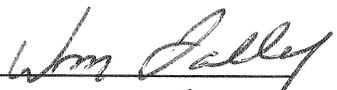
IX. Closing Comments – No Comments

X. Adjournment

Mr. Griffin MOTIONED to adjourn. Mr. Workman SECONDED.

VOTE: 5-0-0

Meeting adjourned at 8:03 PM



Chairman

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