

# Town of Hampton



## TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, DECEMBER 08, 2008

PRESENT: William Lally, Chairman  
Richard Griffin, Vice Chairman  
Richard Nichols  
Richard Bateman  
Michael Schwotzer, Representing the Town Manager  
Atty. Mark Gearreald, Town Attorney

REGRETS: James Workman

7:00 PM Non-Meeting with Legal Counsel – RSA 91-A:2, I, c

Chairman Lally called the meeting to order at 7:30 p.m.

### SALUTE TO THE FLAG

#### I. Announcements and Community Calendar

Mr. Nichols mentioned that the Budget Committee has finished putting together the Town Budget. They made a few changes but the total budget amount remained the same as proposed by the Board of Selectmen.

Mr. Lally thanked Mr. Tilton and Family for the Christmas tree. There will be a school play at Winnacunnet December 12<sup>th</sup> and 13<sup>th</sup>.

The HBAC will have a meeting on Wednesday on the Beach Improvements. The meeting will be held at the Ashworth at 7 p.m.

#### II. Appointments

##### 1. Michael Schwotzer – Finance Director

The report can be found online. Mr. Schwotzer touched on the following items: 2008 year end savings of \$920,000, things are going to be very tight, income for the month \$278,000, thinks income is going to be behind about \$225,000, majority of departments below budget, PD running at 89%, FD OT budget at 90.5%, FD overall at 95.3%, PW running between 7 and 15% below budget and lastly he will provide the Board with mid month report.

Questions:

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Mr. Nichols wondered why motor vehicle income from last November to this November is so different. Mr. Schwotzer explained that he is working through the timing of reporting information and posting to GL. He is working to make sure that things are posted to the correct time period and the Board should see this next year when they compare backwards to this year.

2. State Representative Nancy Stiles and Hampton Beach Precinct Commissioner Charles Rage –Regulation of Sales of Martial Arts Weapon

State Representative Nancy Stiles and Hampton Beach Precinct Commissioner Charles Rage spoke on the issue of regulating the Sales of Martial Arts Weapon at Hampton Beach.

Representative Stiles explained that she has reviewed the ordinance and originally felt that maybe something could be done through zoning. However, Attorney Gearreald has some concerns with pursuing this through a zoning ordinance. He felt that they should look at RSA 31, which is the power the state gives to the communities. An ordinance can be put together by the Selectmen and voted on by the residents. Representatives Stiles also said that if any bills come through that she can attach an amendment too she will. If this option does not work, she will put a bill together in 2010.

Attorney Gearreald expressed his concern with zoning because it deals more with use of land and not necessarily with regulation of a certain product. This is why he feels that the Town should look more at what they can make bi-laws for not as part of zoning. He confirmed with Mr. Rage that we are not trying to prohibit businesses from the sale of these items but instead regulate them by perhaps delaying the purchase so checks can be done. Attorney Gearreald would suggest that the Town carefully obtain authority from the State to regulate in this field and then to build consensus among the businesses as to how best this is to occur.

Representative Stiles explained that even if something was done at the State level the Town would not be able to take any action until Town vote in 2010.

Chairman Lally refreshed everyone’s memory as to past times when inappropriate things were being sold at the beach. With the help of the Beach Commission and the support of the State Representatives, the Board should be able to work with the business owners on the beach.

Mr. Rage confirmed that there are definitely business owners that sell these items in a responsible way.

Mr. Bateman asked if it was possible to make a parent be present. He also suggested that these items be moved to the back of the shops.

Mr. Griffin feels that the key to this is doing something in Concord. He also feels that the businesses should have some record keeping on these sales.

Mr. Bateman feels that we will see some cooperation from the businesses.

III. Minutes of December 1, 2008

Mr. Bateman MOTIONED to accept the minutes of December 01, 2008. Mr. Griffin SECONDED.

VOTE: 4-0-0

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IV. Old Business

1. Town Manager's Report

Mr. Schwotzer explained that Mr. Welch was back to work today and asked Mr. Schwotzer to stand in for him tonight.

1. Last Thursday, the Budget Committee forwarded the 2009 Town Operating Budget to the January 15<sup>th</sup> public hearing with the same total (\$25,856,785) as proposed by the Board of Selectmen. The budget did contain some minor adjustments (+ / -) but the Bud Com's net change equaled zero dollars (\$0.00). A copy of appendix page B-3 has been forwarded for inclusion in your budget books.
2. Last week, in a continuing security upgrade effort, the exterior door locks to the Town Hall were changed. A new key is required for entry into the building when the Town Hall is closed. These keys are available from the Administrative Assistant, Kristina Ostman, and are being issued on a "need" basis.
3. At the Board's request, an analysis of the financial impact of changing the elderly exemption limits upwards was completed and forwarded. The estimated cost to the Town would be an additional \$86,000 of taxes would be needed or \$0.03 added to the tax rate.
4. The UNH Technology Transfer Center has recently awarded Ryan Sharpe, Public Works foreman, the status of Roads Scholar One. This is the first of four levels in the program; he is to be commended on this achievement and his drive to maintain a leading edge in the field of local road maintenance and construction. Ryan – Congratulations!

Mr. Nichols asked about the Elderly Exemption and what the impact would be by increasing the asset and income levels. Mr. Schwotzer explained that the number given was the minimum impact as a result of changing the exemption amounts, but he is not able to predict the impact of the increase in asset amounts and income levels.

Mr. Griffin feels that this is very important and that the Board needs to do something about making these changes.

Mr. Gearreald will draft a warrant article for the Board.

Mr. Bateman spoke about the Board accepting the donation to the Hampton Police Department of the \$2,000 True Speed Hand Held Laser Speed Measuring Device, which Chief Sullivan won in a raffle.

Mr. Bateman MOTIONED to acceptance of the donation of the Laser Speed Measuring Device to the Police Department. Mr. Griffin SECONDED

VOTE: 4-0-0

Mr. Nichols asked about the Beach Precinct and the Lease for the Fire Station. He would like Mr. Schwotzer to follow up with Mr. Welch on this topic.

V. New Business

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Mr. Nichols asked about the timing of the printing of the Town Report and the fact that the Audit Report was not printed in the 2007 Town Report. He asked if it was possible to print the 2007 Audit Report in the 2008 Town Report.

Mr. Schwotzer explained that an electronic version of the Audit Report is on the web.

Chairman Lally agreed with Mr. Nichols that it would be a good idea to print the 2007 Audit Report in the Town Report.

Mr. Gearreald pointed out that Mr. Welch is currently receiving bids for the Town Report and that the bids are based on a number of pages. Therefore if the Board is interested in having this done now would be a good time to discuss this with Mr. Welch.

Chairman Lally would also like to discuss a few other things with Mr. Welch that he would like to see in the Town Report. There have been a lot of volunteers and he feels they deserve recognition.

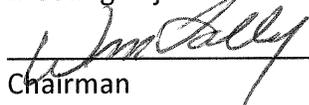
VI. Closing Comments: None

VII. Adjournment

Mr. Griffin MOTIONED to adjourn. Mr. Bateman SECONDED.

VOTE: 4-0-0

Meeting adjourned at 8:20 PM

  
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Chairman

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