

Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, DECEMBER 22, 2008

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

7:00 PM

SALUTE TO THE FLAG

Chairman Lally opened the public hearing on the FEMA Grant to the Fire Department.

PUBLIC HEARING

Public Hearing to accept a \$57, 948.00 FEMA Grant with matching funds from the Town of \$2897.00 to the Hampton Fire Department for personal protective clothing

Chief Silver explained the \$57, 948.00 FEMA Grant with matching funds from the Town of \$2897.00 to the Hampton Fire Department for personal protective clothing. Each year the department has been able to replace one or two sets of protective clothing, which is necessary for new Firefighters. With this grant, the department would be able to replace everyone's protective clothing, which is needed. The Federal share of this grant covers 95% of the cost and the Town is responsible for 5%, which is less than three thousand dollars.

Mr. Bateman MOTIONED to accept a grant for protective clothing for the Fire Department. Mr. Nichols SECONDED

VOTE: 3-0-0

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

I. Public Comment Period

Mr. Goethel. Mr. Goethel commented on Unitil and response to power outage. He feels that the Town needs to send a letter to the electric companies about trimming the trees in Town. He would also like to see a review of Departments response time and a chain of command

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

established. He feels that there should be transportation provided to shelters and that if someone chooses to go to a shelter the Town should watch over their property. Lastly, communication with radio stations needs to improve.

John Woodburn. Mr. Woodburn, he would also like to complain about Unitil and their lack of response to the situation, as he was out of electricity for eight days. Commended the Town and EOC on a job well done.

Mark Loopley, 54, Carlson Road. Mr. Loopley also complaining about Unitil and the fact that in many places there was no structural damage just a matter of the breakers being open.

Russell Bridle, Winnacunnet Road. He spoke on the communications failure. Representative Regan filed a bill to the issue of Mr. Goethel and he himself sponsored two bills today. The first bill requires a backup generator be maintained for any community wells. The second bill requires any elderly housing with over 25 residents must have some kind of backup power supply.

Comments from Board:

Chairman Lally agreed about the communications and commented on Unitil stating last Monday that everyone would have power back by Wednesday. It was very frustrating that no one was able to get answers from Unitil. He would also like to see more information communicated to the radio stations. We need to have some sort of a network system and volunteers to help with this.

Mr. Griffin agreed that the network system would be a good one.

Chairman Lally brought up the shelter situation and that the Town has a contract with the Red Cross. The Red Cross with the State Emergency Management Agency decided not to have a shelter in Hampton.

Mr. Welch explained that the Town should work to set up their own shelter system for the future.

Chairman Lally pointed out that FEMA tells people that they need to be prepared to take care of themselves for 3 days.

Mr. Griffin stated that the biggest complaint he received was with Unitil.

Chairman Lally and Mr. Workman both agreed that Unitil should not have given residents false hope about power being back on by Wednesday. They both feel that an answer of "I don't know" would have been better than the answers that Unitil was giving out.

Mr. Nichols pointed out that whenever there was a complaint anywhere it was about Unitil and not any of the other power companies.

Mr. Welch said that the only time they were able to get any answers from Unitil was when they had a conference call.

Chief Sullivan pointed out that this is not over since we still have people today without power. There is a chain of command in place for the Town and shelters were available even ones who

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

would take pets. Chief Sullivan complimented all public works, fire and police employees for a job well done.

Chief Sullivan encouraged individuals with special needs to fill out the card that is sent with the calendar from the Seabrook Station. This is the list that the EOC uses in emergencies to contact individuals who might need extra assistance. Also, be sure to save all receipts and document all damages because this could still be declared a Federal Disaster.

Mr. Bateman feels that Unutil deserves everything they get and the only people you can count on are the people around you. He pointed out that it was nice to see that people were charging regular price for tree removal, generators and other items.

Michael Dunes, 4 Colby Street. Mr. Dunes was without power for eight days. He would like to say it is important to recognize the officials who did a good job.

II. Announcements and Community Calendar

Mr. Nichols asked about the trash schedule for the holiday week. Mr. Welch explained that everything would remain the same except Thursday trash pickup will be on Friday.

Mr. Workman thanked DPW and all employees. He wished a Happy Birthday to the most understanding spouse in Town. Mr. Workman also announced that he would not be seeking reelection for a fourth term and thanked the public for their support.

Chairman Lally wished everyone a Happy Holidays.

III. Appointments

1. Dyana Martin – Director, Recreation and Parks Department. Director Martin submitted her report in writing and the report is in the agenda folder, as she could not attend the meeting.
2. Michael Schwotzer – Mid Month Financial, report is posted online. Mr. Schwotzer touched on the following topics: Yearend savings of \$923,000, 2 ½ weeks left of payroll with a lot of overtime, end of the month bills for utilities are not here, 92% expensed, PD under budget by 93.7%, moved EMS incentives, FD running at 95%, PW currently showing running 16% below budget, explained PW appears this way because of tipping refunds, and lastly asked the Board to approve an encumbrance of \$140,000 for replacement of two compactors for PW. Mr. Welch recommended to the Board that we replace the compactors.

Questions:

Mr. Nichols commented that even by approving this encumbrance it appears that DPW will still come in under budget for the year.

Mr. Workman questioned whether what he read in the paper today about the State withholding payments for Rooms and Meals Tax until the end of the month was true for Hampton. Mr. Schwotzer confirmed that the Town had not received payment.

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

Mr. Nichols asked if Mr. Schwotzer had any thoughts as to the cost of this past storm. Mr. Schwotzer said that it could be up to \$100,000. He also confirmed that the departments are accumulating the information needed for reimbursement from FEMA if the President declares it.

Mr. Griffin MOTIONED to approve the encumbrance of \$140,000 for the replacement of two compactors. Mr. Workman SECONDED

VOTE: 5-0-0

3. Warren Bambury – Urban Compact Area – Approach for Funding. Brought the Board up to date on the status of the roads needing improvement. There is currently at least 12 miles of road needing repairs totaling \$2 million per mile for a total of \$24 million. He mentioned one way of raising some of these funds could be done by placing a surcharge on registration of cars. Another suggestion he had was to get approval through a Capital Improvement Project.

Mr. Bambury introduced Cliff Senate, the Executive Director of Rockingham County Planning Commission; spoke about a couple of projects that they are working on with the Planning Board. He apologized for performing poorly on both accounts and would like to rectify the problems and repair the relationship with both the Planning Board and Town. He went on to mention other projects that the Commission is involved with in Hampton that are not related to the Planning Board.

Questions:

Mr. Welch commented on Warren's comments and informed everyone that there is already \$300,000 in the account and a warrant article sponsored by the Selectmen. The Board might want to think about putting home rule legislation through Town Meeting to take care of the maintenance of roads in the Urban Compact Area.

4. David Malvik, 6 Dow Avenue - Removal of barrier on Public Street. Jane Garvey, the Property Manager explained that the barrier blocks a parking space limiting parking to 3 spaces as opposed to 4 spaces. They are just looking for a solution to the lost parking space.

Questions:

Chairman Lally, Mr. Griffin, and Mr. Workman all recall that the previous owner facing this same problem. And the issue has something that deals with the Blue Jay Motel.

Mr. Welch confirmed that Dow Avenue is not a Public Road. The Town does not own the road. He did go on to explain that this road like other roads was deeded to the Town back in 1986; but unfortunately, the roads were not brought to Town Meeting for approval. He does not understand why the town placed the barrier there.

Ms. Garvey explained their issue and requested a solution to access the parking space.

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

Mr. Welch did suggest that these five roads, be added to the warrant article for Town Meeting, along with the other roads that were deeded to the Town. And, explained that the Town will eventually own the road either by Town Meeting or by prescription.

General discussion among the board members on the barrier, access to the road, parking and other issues of this road.

The Board was in consensus that the barrier should not be there and should be removed.

IV. Minutes of December 15, 2008

On page one change Silent Suction to Silent Auction.

Mr. Bateman MOTIONED to accept the minutes of December 15, 2008 as amended. Mr. Griffin SECONDED.

VOTE: 5-0-0

V. Old Business

1. Town Manager's Report

- A contract has been awarded to The Country Press, Middleborough, Massachusetts to print the 2008 Annual Town Report for the sum of \$4018. The Country Press was the low of five bidders.
- We continue to work the electrical issues from the ice storm that began on Thursday, December 11th through Unitil as well as the Governor's Office, the Public Utilities Commission and the State Emergency Management Agency as we have since early Friday morning December 12th.
- I have presented to the Board two new warrant articles dealing with the removal of the Drakeside Railroad Bridge and investigating the formation of a Municipal Electric Utility.
- Senator Elect Shaheen sent a memorandum to all Town's indicating that any municipal projects that were in readiness should be forwarded to her. She will be happy to try to forward them into the system.

Questions:

Mr. Nichols asked Mr. Welch to elaborate on the formation of a Municipal Electric Utility. This would probably just be an avenue to investigate something to see if something can be done. However, it would probably end up being used to force Unitil to be more cooperative in the end. Municipal Electric Utilities are a noted way to solve a problem.

The warrant article would just give the Town the right to investigate Municipal Electric Utility with no money attached to the article.

Mr. Workman asked about the likelihood of the State removing the bridge if petitioned to do so by the Town. Mr. Welch said that since the State has to inspect it and maintain it they should want it to be removed.

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

Mr. Workman asked if the State's submission is limited to the 10-year plan does that mean we are prohibited from adding any projects. Mr. Welch thinks that we ought to submit any projects that we have.

Mr. Bateman MOTIONED to direct the Town Manager to bring forward two warrant articles one related to the removal of the Drakeside Railroad Bridge and the second to investigate a Municipal Electric Utility. Mr. Workman SECONDED.

VOTE: 5-0-0

2. Leased Land Revenues – Mr. Bateman suggested that this be postponed for another week due to the weather.

Mr. Nichols pointed out again, this week that the 2% increase is not that large compared with a mortgage on the property.

The Board agreed to table this until next week.

3. Permanent Building Committee – rough draft of what the Committee should look like.

Mr. Nichols commented on the fact that the Committee needs to have a taxpayer advocate. The question was asked if someone on this Committee could participate in a business sense. Mr. Welch confirmed that would go against the Ethics Policy. Mr. Welch will add the ethics item.

Mr. Gearreald stated that the general duties seem to be fairly in depth in terms of the involvement of the committee members and their actual function. It sounds a bit like they would be performing functions that normally would be done by a private contractor. Mr. Welch confirmed that they would be the Clerk of the Works.

Other Old Business:

Mr. Workman asked for an update on the Town Clock. Mr. Welch informed the Board that all the parts are in and fabricated. He will follow up on its progress.

Mr. Nichols asked for an update on the issue of the Beach Fire Station. Counsel has drafted a preliminary warrant article, which the Board will receive next week. Both Town Meetings will have to approve the article. Mr. Nichols clarified that the warrant article will appear on the Town ballot in March and the Precinct will vote soon after.

Mr. Griffin wondered if a joint meeting needs to be scheduled between the two Boards. The Board agreed to see if the Precinct Board is available to meet on January 12th.

Chairman Lally asked about the acceptance of Dakota, Pawnee and Mohawk. Mr. Welch explained that the roads are being plowed and will continue to be plowed for emergency purposes.

Atty. Gearreald explained that lien holders with interest in the streets need to sign releases and their signatures need to be notarized.

VI. New Business

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, DECEMBER 22, 2008

1. Deliberative Session "The providing of Food" – Mr. Welch explained that last year the lunch was provided by Mary Borg, who indicated that she did not want to do it again this year. The options are to ask her if she would like to do it again, or hire a food service company to come in, or we do not provide lunch.

The Board decided to see if they could find a nonprofit organization that would like to serve the lunch as a fundraising effort.

2. Mr. Workman asked about the scheduling of a grievance hearing. The grievance was scheduled for 7 pm next week and Board meeting will begin at 7:30.

VII. Consent Agenda

1. Acceptance of a \$1000.00 donation to cover administrative services (professional clerk) for the Hampton Beach Area Commission. Mr. Welch explained that the Commission is looking to have someone do the minutes. This item is being tabled until next week; the Board would like to know who is making this donation.
2. Equalization Municipal Assessment Data Sheets Certificate.

Mr. Bateman MOTIONED to accept the Equalization Municipal Assessment Data Sheets Certificate. Mr. Nichols SECONDED.

VOTE: 5-0-0

The acceptance of the \$1000.00 was postponed to December 29, for information on who the donor was.

VIII. Closing Comments

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

VOTE: 5-0-0

Meeting adjourned at 9:20 PM



Chairman

On roll call, motioned with all members present and voting unanimously, the Board of Selectmen entered into to a Non-Public meeting with Legal Counsel under RSA 91-A:2., I., (c)

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

Non-Public meeting - RSA 91-A:3., II., (a), (b), (c), (d), (e)