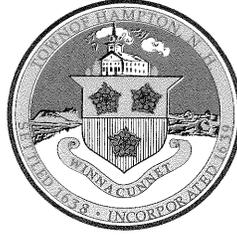


Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, JANUARY 05, 2009

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

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

SALUTE TO THE FLAG

I. Public Comment Period

Arthur Moody, Thompson Drive. He would like to speak about two of the Warrant Articles under New Business. The two articles dealing with sewer are of interest to Mr. Moody. On the first article, he would like to see the Board vote on 5 years as opposed to 10 years for the renewal period. He also feels that an amount needs to be added to the article.

Mr. Art Gopalen, 21 Mill Road, would like to discuss the Warrant Article for the Budget. He feels that the Budget should be frozen for 2009.

II. Announcements and Community Calendar - None

III. Appointments

1. Chief Sullivan – Police Department – Not able to make it tonight.

Questions:

2. "The Coalition for Fair Assessment" John & Linda Gebhart

Discussion:

Linda Gebhart thanked the Board for allowing them to speak tonight. She expressed to the people in the audience that comments need to be kept brief and there is no need to repeat the same thing 50 times. She explained to the Board that the group is up to 150 members from all areas of Town. The key points that come up all the time when talking to residents are: over

assessed, can't sell property for amount it is assessed, blindsided by the amount of increase, people leasing land from the Town received a double whammy, difficulties with the Assessor's Office, many stories of rudeness from employees in the office, attitude and comments from other Boards not always kind and lastly there is a real discrimination against Seasonal Residents.

John Gebhart would like to speak more to specifics and numbers. He presented the Board with an excel spreadsheet and compared sale prices to assessed values showing the inconsistencies. There are several with over 100% increase in taxes.

Ed MacDonald, owner of 21 and 25 Epping Ave. The issues he has are inconsistencies, cannot search on the database for sales on two and three family homes, cost per square foot different on each property, depreciation rates are all over the place and land values abutting each other are very different.

Jim Donahue, 140 Kings Highway Unit #8. He purchased home because of the valuation of property. He would like to know how the square foot price per land value is calculated. He has neighbors closer to the ocean whose square foot rate is lower.

Helena Barthell, 33 Dover Ave. Has 4 quick points to make her property charged for 50 feet of frontage and only has 36, can leased land owner file abatement, depreciation calculations all over the place and lease fee remains the same but assessment does not stay the same.

Michael Taffe, 7 Concord Ave. He has a question about taxation without representation. What would it take to allow Seasonal Homeowners to vote in local elections? Mr. Welch confirmed that it is State Legislation that does not allow them to vote in the local elections.

Steve Nelson, 4 Ocean Drive. He stated that in one year of purchasing his home his taxes went up 38 ½%. He is submitting that there is a lack of consistence, equity, communication and professionalism.

Steven Gerardo, Business Owner. He owns retail condominiums in downtown. His tax valuation went up over \$100,000. Usually when you have a valuation increase, you have a decrease in tax rate.

Mr. Nichols pointed out that the tax rate did in fact go down from 2007 to 2008.

Mr. Griffin also pointed out that many people's taxes went down. The reason for the tax increase does not have to do with increased spending on behalf of the Town.

Andrew Guthrie, owner of 9 and 10 Boston Ave. Would like to thank the Board for what they are doing for the elderly. However, he would like to see the Board raise the amounts a little more. He would also like some feedback from the Board at the end of the meeting. There is no consistence to the land values.

Tom Flanagan, 19 Atlantic Ave. Have two questions. Why is anyone getting a decrease when the Beach is going up so much and what does the Town plan to do when the property's at the Beach are forced into foreclosure and the Town no longer receives these tax dollars.

Charlie Harding wondering about a report that they are supposed to receive that explains how the taxes are calculated.

Mr. Nichols provided his email address for anyone who would like the link to the report.

Comments from the Board:

Mr. Nichols is sensitive to the need to keep taxes down. He thinks that the assessments need to be fair. The comments made tonight are cause for concern and some investigation needs to be done. Customer satisfaction and open communication are also important.

Mr. Workman feels everyone should be treated respectfully whether they are at the Assessing Department or anywhere else in the Town Hall. There is an abatement process and those forms need to be filed by March 1, 2009. This will allow everyone to be reviewed on an individual basis.

Mr. Bateman stated that most of what is being said is how these individuals have been treated. When you come in and meet a behavior behind the counter that is not friendly, we need to know. No one should tell a landowner that their property is a tear down. He also expressed that the Board needs ideas on how to help with the leased land rent so individuals need to come forward and share their thoughts. The Board is looking for solid solutions and hopefully they will be able to come up with an amicable solution. People at the Beach historically have been looked down on, but that is not true at this time. He is a strong supporter of this being one Town, not two.

Mr. Griffin feels that the main thing is that everyone should be dealt with professionally and not talked down to. People need to complain to the Board if this is the case. There have always been people who have been unhappy at the Assessing Department. However, they have a good reputation of putting out the right numbers. Individuals situations change but he does not think that Hampton has ever put anyone out of their home. He does not feel that people look down on the people on the beach and he thinks that people need to stop bringing this up all the time.

Chairman Lally apologized that no one is going to leave with an answer tonight. He explained that they do try to keep the budget in check and 92% of the budget is made up of wages for employees. The Town is mandated to assess properties every five years. And he agrees with Mr. Nichols that answers need to come out of this and he assured everyone that they would get answers.

IV. Minutes of December 22, 2008 and December 29, 2008

On page one change "t" to "to" the Fire Department.

Mr. Bateman MOTIONED to accept the minutes of December 22, 2008 as amended. Mr. Workman SECONDED.

VOTE: 5-0-0

No changes made to the Minutes of December 29, 2008.

Mr. Bateman MOTIONED to accept the minutes of December 29, 2008 as amended. Mr. Workman SECONDED.

VOTE: 5-0-0

V. Old Business

1. Town Manager's Report

A bid was awarded to Atlantic Leasing Corporation for the purchase of new compactors for the Transfer Station for \$128,058.12. Atlantic Leasing was the low of four bidders.

A bid was awarded to EnviroSystems, Inc., for \$11,720 for Whole Effluent environmental testing at the Wastewater Treatment Plant. EnviroSystems was the only bidder of seven to respond.

A bid was awarded to Eastern Analytical for \$1207.00 for Sludge Testing at the Wastewater Treatment Plant. Eastern was the low of seven bidders with two responses.

A bid was awarded to Aggregate Recycling Corporation for \$20,000 to grind compost. Aggregate was the low of five bidders with two responses. Note that a \$2000 discount will be allowed for Town assistance with loading.

The dates for filing for Town Office are January 21st through January 30th at the Town Clerk's Office in Town Hall.

The last date to file a petitioned warrant article with the Selectmen is January 13th.

Good news this week is that the State has paid its Rooms and Meal distribution to the Town as of December 30th.

A couple of other things: the US Census Bureau is hiring people and testing will take place on January 6th at Lane Memorial Library, curbside pickup of trees will take place the week January 5th and January 12th, certificate for the Board to sign for grants for sewer and lastly he spoke with Commissioner Ball of DRED today and asked if he would ask the Governor's office with a Town petition for economic stimulus funds to complete the Beach Project and the Seawall.

Questions:

Mr. Griffin asked about the full-page ad from Unitil apologizing to the citizens of Massachusetts and wondered if the Town had received any type of letter from Unitil. Mr. Welch confirmed that they have received nothing. He also explained that the EOC is planning a meeting to review the ice storm and after they meet, they will be sitting down with Unitil to go over what went wrong.

Mr. Griffin also asked about the barrier on Dow Ave. Mr. Welch explained that a survey will be done, in order to see where a barrier is supposed to be placed, which is to prevent automobile traffic from entering on to Whitten Avenue, but still allow pedestrian access.

Mr. Nichols commented on Unitil and some articles that he has seen. He noticed that in these articles Unitil was the only electric company that did not carry insurance. Central Main Power had this problem twelve years ago, yet this time around, they were able to come down and help Unitil so we might be able to learn something from them.

Mr. Nichols also expressed concern with the Seawall. If the wall were ever to break there is only one place for the water to go. Therefore, he feels repairs to the Seawall should be a top priority.

Mr. Nichols questioned how the bid from Aggregate Recycling compared to the past. Mr. Welch said that it should be a net gain to the Town in the end.

Mr. Workman questioned if the four bids are all 2008 dollars. Mr. Welch confirmed that all would be 2008 except the Aggregated Recycling.

Chairman Lally confirmed with Mr. Nichols that last week the Board put forward tentative agreements with the Unions and not contracts.

2. Permanent Building Committee – Mr. Welch presented the Board with the changes that he made to the guidelines.

Discussion:

Mr. Nichols expressed concern that an individual on the committee would be able to bid on the project as long as he disclosed this desire to the committee in the beginning. He does not feel that this is fair.

Mr. Workman asked if separate from the code of ethics, could an element be added that any member of the committee is prohibited from bidding on or working for any projects that the committee would be involved with.

Violations of the conduct will be added the Building Committee document.

Mr. Nichols asked about the demolition of the Old Town Hall. Mr. Welch said that he has had an offer from someone to provide the equipment for free for one day. The asbestos has been removed.

Chairman Lally wants to verify that the tax impacts of each article will be shown on all money warrant articles.

The Deliberative Session is January 31st with an alternate date of February 7th.

VI. New Business

1. Warrant Articles

Discussion:

Mr. Nichols expressed that the number of warrant articles sponsored by the Selectmen is relatively close to the number of articles that were on the ballot last year. The only good news is that the dollar value is lower. He would like to see the number of articles reduced somehow.

In addition, Mr. Nichols expressed concern on the warrant article for the greening of the Town Hall. He wondered if there was any way to remove the cost of the windows from this article. He would like to reduce this article from \$100,000 to \$35,000.

Mr. Griffin does not agree on reducing this article. He feels that if you want to reduce the article you should just scratch the whole article.

Mr. Nichols MOTIONED to change the amount on the article for the Town Hall greening from \$100,000 to \$35,000. Mr. Workman SECONDED.

VOTE: 3-2-0

Discussion:

Chairman Lally questioned if the amount for Human Services Agency's not to exceed \$171,652 was high. Mr. Welch and Mr. Nichols confirmed that the number seems to be accurate and comparable to the amount from last year.

Chairman Lally reviewed the numbers starting at the top with the budget \$25,856,785, estimated Cemetery Burial Trust Fund at \$20,000, cable TV origination fund at \$100,000, police forfeiture fund \$90,000, street improvements paving etc basically a road maintenance account \$300,000, beach street lighting \$177,000, Tuck Field basketball courts estimate \$72,000, all of these have no tax impact except budget, mosquito larviciding \$50,000, Public Works Capital Reserve Fund \$340,000, salt shed \$223,000, greening of the Town Hall \$35,000 and fire pumper lease estimated payment \$144,090.

Some petitioned warrant articles include: Rockingham County Nutrition Meals on Wheels \$5,000 and transportation assistance for Seacoast citizens \$6,400.

Proposed Union Contracts are as follows: Teamsters agreement two years \$69,300 for first year, Police Officers \$144,000 and Police sergeants \$23,000.

The non money articles include ordinance amendment in reference to cats, solid waste ordinance, amendment on amusement device ordinance, compensated leave trust fund, two Rye Sewer Agreements, protect tax deeded Sun Valley Beach, Galley Hatch land use, beach Fire Station use agreement, removal of Drakeside Railroad Bridge, Municipal Utility Article, Old Stage Road Bridge pedestrian way, elderly exemptions, road acceptance articles, credit card use for Town Clerk and 8 Zoning Articles.

Mr. Nichols clarified that on the Rye Sewer Article it should read a 5-year contract not 5/10 year. He also questioned the operating budget article related to the anti spiking provision. He wonders if the language should be changed a little in case the amount is just reduced. Mr. Welch will change the language.

Mr. Griffin MOTIONED to change the asset amount for the Elderly Exemption Article to \$250,000. Mr. Nichols SECONDED.

VOTE: 5-0-0

In regards to the High Street Cemetery Shelter Mr. Workman has a number not to exceed \$30,000. Discussion from Board as to whether the Selectmen will sponsor this article or if it will need to be a petitioned warrant article. Chairman Lally feels that it may be better as a petitioned article as opposed to a Selectmen sponsored article. Mr. Griffin agrees with Chairman Lally. Mr. Bateman feels that this is a project that should have been done a long time ago. He feels it should go forward and it does not matter which way it goes. Mr. Griffin asked Mr. Bateman if there is something more pressing that needs to be done at the Cemetery. Mr. Bateman expressed that there are many things that need to be done and donations are always appreciated. Mr. Bateman thanks that this is a wonderful project and that people will step up and volunteer.

Mr. Workman MOTIONED to put the High Street Cemetery Shelter as a Selectmen sponsored article. Mr. Bateman SECONDED.

VOTE: 2-3-0

VII. Closing Comments - None

VIII. Adjournment

Mr. Griffin MOTIONED to adjourn. Mr. Nichols SECONDED.

VOTE: 5-0-0

Meeting adjourned at 9:32 PM


Chairman