

Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, MARCH 02, 2009

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

7:00 PM

Chairman Lally called the meeting to order at 7:00 PM and introduced the members of the Board.

SALUTE TO THE FLAG

I. Public Comment Period

Art Gopalen, 21 Mill Road, would like to direct a comment to the State Reps here tonight. He would like to talk about hb1645 debacle and the fact that Governor Lynch is going to reduce the State's contribution to the fund by 5%.

Gerry Znoj, 16 Presidential Circle, would like to see the State budget pushed back and not passed by the State Legislators.

Norman Silberdick, 70 Tide Mill Road, would like to express concern with the Retirement System and the fact that it needs to be fixed. He feels that the State needs a total overhaul. It is important that the State Legislators pay attention to the fact that things need to be done in a different way.

Richard Reniere, 29 Highland Ave, commented on a comment made by Town Manager last week in regards to Room & Meals Tax and Revenue Sharing lose of $\frac{3}{4}$ of a million dollars. He wonders if the Governor has the authority to wipe this off the books without having any input from the Legislators.

Linda Gephardt, 4 Bailey Ave, here as the president of "The Coalition for Fair Assessment" and what this million dollar shortfall is going to do to them. She would just like to put a face on the people out there that are really biting their fingernails wondering what is going to happen to them.

Michael Pierce, 16 Hedman Ave, pointed out that for the past three years the schools budget has ended the year with quite a surplus. He wonders if money that is slated to go to the schools from the stimulus can be given back to the State.

John Gephardt, 4 Bailey Ave, would like to point out to the Reps a study that was done on estimated State Revenues from Hampton Beach. The total that they came up with was \$16,500,000 and they are squawking about returning 4% of that to the Town. Also, questioned the uncollected tax amount in the Town Report of about \$3.1 million. He wonders if we might be able to try harder to collect these taxes.

Richard Bateman would like to speak as a citizen. He is also not happy with the State Retirement System. However, he wanted to point out to the public that when cops, fire fighters and teachers retire under the State Retirement System their social security benefits are reduced by the amount they receive as a pension from the State. He would like everyone to look at the whole picture and realize that this is not just at the State level but also at the Federal level.

A spirited debate of rebuttals followed on the subject of the NH Retirement System starting with Art Gopalen of 21 Mill Road, Michael Pierce of 16 Hedman Ave and Gerry Znoj of 16 Presidential Circle.

II. Announcements and Community Calendar

Mr. Bateman would like to recognize Kevin Lemoine who worked for the Fire Department and came down with MS. He has gone on to become the Fire Chief in Brentwood.

Chairman Lally would like to thank the owner's of Coffee Break Café for having a candidate morning on Saturday. He would also like to announce that the Chamber's new visitor's guide has come out and it makes the Beach look great.

Chairman Lally announced that tomorrow night at 7 o'clock is Candidates Night.

Mr. Workman announced that Town Reports and Annual School Reports are now available at the Town Offices.

Atty. Gearreald announced that tomorrow night at 7 o'clock, the program on the Shoreline Protection Act will be held at the Saint James Building Association building.

Atty. Gearreald also requested that the Board meet with him under RSA 91-A:2., I., (c), as a non-meeting with legal counsel.

Mr. Welch announced that once the Town purchases the video about Lyme disease, it would be broadcasted on Channel 22.

III. Minutes of January 13, 2009 and February 23, 2009

Mr. Bateman MOTIONED to accept the minutes of January 13, 2009 and February 23, 2009.
Mr. Nichols SECONDED.

VOTE: 5-0-0

IV. Old Business

1. Town Manager's Report

The Board has been requested to waive the waiting period for the issuance of a liquor license to the new owners of the Widow Fletcher's Tavern. May I have authority to issue the waiver?

Mr. Bateman MOTIONED to authorize the Town Manger Frederick Welch on behalf of the Board of Selectmen to issue any waiver request to wave the waiting period for a liquor license, provided that the Chief of Police is in agreement with the request, if the liquor license is only a transfer of license from an existing establishment to a new owner. Mr. Workman SECONDED.

VOTE: 5-0-0

The Town has awarded a bid to Rehrig Pacific Company for the purchase of a thousand 18-gallon recycling containers at the cost of \$6,250. The company was the second low bidder but the only one to meet all of the requirements of the bid.

The Town's US EPA Storm Water Permit has been issued and will become effective on March 8, 2009.

Please remember that the House Finance Committee will be holding a hearing on March 9th at 6 PM at Salem High School on the Governor's State Budget for 2010-2011. Citizens should testify and indicate how they feel about the loss of \$1 million in State funding to the Town.

Please remember to register your dogs by April 30th to avoid fines and penalties.

Received a resignation from Mr. Rice as a member of the Southeast Regional Refuse Disposal and he has recommended that Mr. Price be his replacement. Mr. Welch would like to second that recommendation.

Mr. Workman MOTIONED to appoint Mr. Price as the representative for the Southeast Regional Refuse Disposal. Mr. Bateman SECONDED.

VOTE: 5-0-0

Ellen Goethel will be stepping down as chair of the Conservation Commission.

The Board has received a thank you note from Mrs. Grandmaison for including Norman in the dedication of the Town Report.

The ISO item on the agenda will be postponed at this time.

A grievance hearing is scheduled with the Board by the SEA and is set for the meeting on the 16th, following the swearing in of the new Officers of the Town and the Board of Selectmen.

Mr. Welch also asking the Board for them to consider establishing a new part time temporary position. This individual would be organizing the records for the Town. The Town is mandated by law to preserve these records.

Discussion:

Chairman Lally confirmed that this is a temporary position and there is a law stating that these records must be kept.

Mr. Nichols wanted to verify that this would only be a temporary position.

Mr. Workman questioned whether the funds for this position would come from the current budget. Mr. Welch confirmed that the monies would be found in the budget.

Mr. Bateman MOTIONED to authorize the Town Manager to hire a temporary part time employee to perform the job of records keeper. Mr. Griffin SECONDED.

VOTE: 5-0-0

Mr. Welch has a request for a rent abatement for a Rosanna Wright. This abatement relates to the rent on leased land. He also explained that the reason this request was not receive by March 1st is that she was unable to deliver it herself and had trouble finding someone to bring it in for her.

Mr. Bateman MOTIONED to allow the rent abatement for Rosanna Wright. Mr. Griffin SECONDED.

VOTE: 5-0-0

2. Re-authorization to withdraw Funds from the DPW Capital Reserve Fund for purchase of DPW Directors' vehicle.

Discussion

Mr. Welch does not have a date at this time but will get one from Mr. Schwotzer when he returns from vacation.

Mr. Welch explained that this process is being formalized for the future.

Mr. Nichols stated that his concern was for the future and not necessarily this vehicle. He also mentioned that the Trustees of the Trust Funds report in the Town Report is the 2007 report. The correct report is on the website for the Trustees and will be changed on the Town's website.

It was the consensus of the Board to approve and signed the authorization to withdraw the funds from the DPW Capital Reserve Fund for purchase of DPW Directors' vehicle.

V. New Business

1. ISO New England - Demand Response for Sales and Service Agreement Approval – postponed at this time.

Other New Business

Mr. Bateman commented on a letter received from Mark Loopley who would like to be an alternate to the Conservation Committee.

Mr. Bateman MOTIONED to appoint Mark Loopley as an alternate to the Conservation Committee. Mr. Griffin SECONDED.

VOTE: 5-0-0

Mr. Workman asked if the correspondence from a NJ based vendor for the defibulator had been passed along. It was been given to the Fire and Police Chiefs.

Atty. Gearreald provided the Board with a draft letter for the School Board regarding the bill from the School that was discussed last week.

VI. Consent Agenda

1. Request for Accessible Parking Space at 4 M Street – Richard Bergeron

Discussion

Mr. Nichols asked if Mr. Bergeron moved, would the sign be removed. Mr. Welch confirmed that it could not be removed unless it is done so by the Selectmen.

Chairman Lally feels that we should have at least one seasonal accessible parking space on each of the letter streets.

Mr. Bateman MOTIONED to authorize the placement of a Seasonal Accessible Parking Space; May 1st to November 1st of each year; at 4 M Street. Mr. Workman SECONDED.

VOTE: 5-0-0

VII. Discussion with the Town's State Representatives and State Senator on the proposed Budget Cuts at the State level.

Discussion:

Chairman Lally announced that Nancy Stiles was unable to be present tonight since she is in Washington lobbying for State and local funding.

Chairman Lally asked Mr. Nichols to go first with any questions.

Mr. Nichols feels the main reason for asking the representatives here this evening is discuss some of the items that are in Governor Lynch's budget that could cost the Town \$1 million.

Mr. Welch explained that the message that he received was that the Governor would be cutting about \$912,000 out of the Town's budget. He does realize this could change when the budget goes through the House and the Senate. Between the Meals and Rooms, increase in county tax, the fact that 5% of the funding for the retirement fund is going to shift from the State to the Town. All State revenues that the Town receives will be reduced. Also, the Governor has said that Cities and Towns will be made equal and that is not the case. The real issue is why the schools are receiving \$1.5 million. He feels that the Board would like to see where these revenues are going to go and what the Legislators think is going to happen.

Mr. Nichols followed up with the State's budget has increased by 23% per year since 1999. He feels that there is definitely a spending problem. He hopes that the Legislature has the wisdom to make the appropriate changes to the Governor's proposed budget. As far as the Retirement System funding, others have expressed these concerns and there are many bills that can help to fix some of the problems with the Retirement System. There is also Senate Bill 99, which would authorize Car dealerships to work as agents of the Division of Motor Vehicles in the issuance of titles and registrations; this would have a large impact on the revenues taken in by the Town Clerk, through the loss of these monies.

Mr. Griffin commented on how much money is taken out of Hampton and given to the State and nothing given back to the Town. He is especially concerned with the Hampton Beach Project.

Robert "Renny" Cushing feels that the Board and residents need to understand that they are also residents of Hampton and can go to Concord to do what is best for the community. The problems with the Retirement System have been ongoing and they did not just pop up this summer.

Chairman Lally wonders if the Governor can just go about and do these things.

Chris Nevins explained that the Governor cannot just do this. He explained that when it comes to Hampton Beach issues they do all work together to do what is best.

Susan Kepner explained her committee happens to be Parks and Recreation and Development and the Hampton Beach Project is dear to her heart. They have been working hard and talking to everyone that is involved. They will ask for seawall money and bridge money and any other monies that they can.

Chairman Lally questioned why the amount of money from the stimulus package that is going to municipalities is so much lower than the amount of money going to the schools.

Mr. Nichols pointed out that they are taking \$200 million from municipalities.

Mr. Nevins explained that this stimulus money comes from Washington and not the State. The State will get some of that money and it will be allocated. The Governor is going to have the ability and the Legislature will vote on how the money will be spent. He believes that this will offset the \$1 million that the Town is going to lose. He personally feels that the taxpayer in the Town of Hampton will not be paying more in the way of property taxes next year.

Mr. Cushing explained when the Governor presented his budget he did not have the figures from the stimulus package.

Chairman Lally expressed concern with the fact that the School gives back money each year and they are the ones receiving funds.

Mr. Nichols wonders how the State can increase their budget by 18% for several years and then come to the Town for money.

Mr. Workman believes that you cannot base a budget on funds that you are going to receive as a one-time basis.

Mr. Cushing expressed that they want to be first in line that is why they have already been to visit the Governor. They are also looking at all the money that is available so that they can get as much as possible for the Town.

Chairman Lally spoke about all the money that the beach brings in for the State and he wonders if it would be possible to do some type of assessment to see how much the Beach brings in for the State.

Mr. Nevins stated that after the State reaches a certain amount of revenue, the rest comes back to the Town. He does believe that everyone is trying to do the right thing including the Governor. He also explained to the Board the process that will take place in Concord as to the passing of the budget and other bills.

Mr. Griffin shared that he read an article that Salisbury receives money from the State for the value of the property that they use.

Mr. Cushing explained that the first thing they did was to take \$2 million away from the Police Standards and Training so they are trying to save money.

Mr. Workman wants to reiterate that there are two separate issues. One is that we need to try to get as much money as possible for capital projects. The second issue is that if the Governor's budget is passed and the Revenue Sharing and the Rooms and Meals Tax go away then the Town is out \$750,000.

Mr. Welch explained that this amount is on top of the \$800,000 that will go into effect on the 8th of this month with the Federal Storm Water 2 requirements that the Town will have to fund next year.

Mr. Nevins stated that the Governor plans to use stimulus funds for this and it should be a wash for the Towns and the Cities.

Mr. Welch said it might be a wash, in the sense that the tax rate for the school is going to go down but the rate for the Town will go up which means budget cuts.

Atty. Gearreald spoke about money that is to be made available for the storm water drain projects and that the strings attached are incredible.

Mr. Welch expanded on this topic stating that the Town will have to float bonds for these projects and have to pay the bonds back to the State.

Mr. Cushing wants to make sure that they are aware of all the Bills that are of concern to the Board.

Chairman Lally would like to echo the concerns of Mr. Workman about the Governor's budget. He also thanked them for coming in tonight and would like to see them come in on a regular base to discuss these topics.

Ms. Kepner informed the citizens that they need to keep sending the emails with their concerns to the Representatives.

Mr. Nevins encouraged all to get out there and vote next week.

VIII. Closing Comments - None

IX. Adjournment

Mr. Bateman MOTIONED to adjourn. Mr. Griffin SECONDED

VOTE: 5-0-0

Meeting adjourned at 9:16 PM


Chairman

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