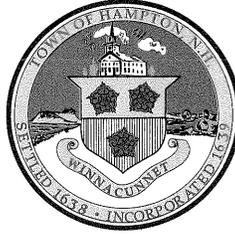


Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN October 05, 2009 Minutes

PRESENT: Richard Griffin, Chairman
Richard Nichols, Vice Chairman
William Lally
Richard Bateman
Gerald Znoj
Frederick Welch, Town Manager

7:00 PM

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

SALUTE TO THE FLAG

I. Public Comment Period

John Christensen, 12 Epping Ave, would like to comment on the Fire Station but prefers to comment after he hears the presentation. Chairman Griffin announced that they will open the floor to discussions after the presentation. They will be limiting the comment time to 5 minutes.

II. Announcements and Community Calendar

Mr. Lally would like to wish a speedy recovery to Betty McConnell who has recently taken ill. He also announced that the Fire Department will be having their annual Open House on Sunday October 18th from 10 to 2. This is a free event and fun for the entire family.

Mr. Bateman thinks everyone has recognized Eric Nash as being named Science Teacher of the Year for NH. He also pointed out that last week Winnacunnet High School won the first round of the Granite State Challenge and hopefully they are on their way to another solid year of competition.

Chairman Griffin wants to remind everyone that this weekend is the Harvest Moon Fall Festival. There will be fireworks, a boat parade, arts and crafts and entertainment. The event is sponsored by the Hampton Beach Village Precinct.

III. Appointments

1. Hampton Beach Village District Commissioners – Discussion on the Beach Fire Station

Fire Chief Silver refreshed everyone's memory of the process that they will go through while developing the plans for the new Fire Station. Over the last couple of weeks they have been

working on site selection and building programming. For the purpose of tonight's discussion he will focus on site selection. He has many different drawings to show that they have explored many options. When taking cost effectiveness into consideration at this point they are recommending that headquarters be moved to Winnacunnet Road and a substation be built in the Beach District. He reviewed the site selection survey and the variables that they considered. Some of the criteria that were most important was geographic location, proximity to beach, good line of sight while entering traffic, volume of pedestrian and road traffic, turning radius, size of site, site acquisition cost, revenue changes and site development cost. He also explained that they did explore attaching to the police station as requested by many citizens. He shared that the two sites scoring the highest were the Precinct Lot and the Municipal Lot both located in the same area as the current station. He explained some of the cons in regards to the other locations evaluated. There was an additional discussion as to why there are no savings to adding the Fire Substation onto the current Police Station. He showed all the different site layouts and their recommendation at this point as far as the portion of site selection goes, it is that the location of the station should be either to the north or south side of Brown Ave at Ashworth Ave. A significant advantage to choosing the north side of Brown Ave is it can be either a drive thru or back in site (they favor a back in site).

In regards to the parking revenue the following was found: 27 spaces parking loss at Precinct Lot as opposed to 59 spaces in Ashworth, net parking loss of 20 spaces, which equates to \$2,400. At this point there are a couple of options before them and it is their recommendation to utilize one of the two sites on Brown Ave with the preference being the north side. He does not think that a conclusion on the site needs to be made tonight.

Discussion:

Mr. Rage questioned if the new first aid station at the Sea Shell will be staffed by the fire department and it will not.

Steve Roberts on behalf of the Precinct stated that he just received the information today and it is a little unclear to the Commissioners what the Board would like them to do tonight. They are willing to engage in a discussion but cannot make any decisions tonight.

Mr. Nichols has been the most involved and thinks that they are looking for a reaction from the Commissioners tonight. They would also like to discuss some sort of a process going forward.

Mr. Roberts believes that the Commissioners can discuss a process going forward but does not feel that they can give a reaction at this point.

Chairman Griffin expressed that the Board realizes that the Commissioners will have to bring it before the Precinct. He does feel that this is the best location and as being a member of the Precinct he is confident that if it goes before the Precinct for a vote it will pass. He also pointed out that this is something that is not just a Precinct matter but a matter for all the citizens of Hampton.

There was a discussion about the loss of parking. Mr. Nichols also pointed out that the moving of headquarters to Winnacunnet Road should not move forward until the approval of the substation by the Precinct is complete.

Chairman Griffin feels that we need a united front and that is why we are having these preliminary discussions.

Mr. Nichols pointed out that the Fire Station has been voted down twice now. The three main objections have been lack of solid plan, cost and poor communication. They are currently working on a solid plan, the current cost estimates are at \$5M and he thinks that we can leave here with an agreement as to what comes next.

Mr. Roberts questioned the Chief from a threshold standpoint either of the sites on the north or south side of Brown Ave would work. Chief Silver commented that if you value it on purely an analytical approach they are tied for first. He reiterated that the only advantage of taking the north side is taking advantage of its position with the ramps facing to the south. Mr. Roberts commented the solar gain on the north side. Mr. Roberts questioned isn't it the threshold issue that the Board should make a decision as to whether it prefers the north or south side. Mr. Nichols and the Chief both prefer the north side. Mr. Nichols prefers the north side for the solar exposure along with the fact that there would be less of a loss in parking revenue.

Mr. Rage agrees that there needs to be a united front and they need to absorb what is in front of them and then come back to the Board.

Mr. Lally thinks that it is essential that the Board and Commissioners come together in order for this to pass. The Fire Chief has done tons of work on this.

Mr. Znoj prefers the Brown Ave north side and he is a little confused on parking spaces. Mr. Nichols and Chairman Griffin both agree that the parking situation is very complicated. Mr. Nichols would urge them to look at this very closely because the gain in spaces is before you put the footprint down and there is actually a loss. Chief Silver would be happy to sit down with the Commissioners and show them how it is broken down.

Mr. Bateman wonders if the south side is chosen and there is no longer a fire station on the north side what happens to that land that was gifted. Chief Silver explained that the two parcels that were gifted the warrant article read that it was for the purpose of building a Fire Station. He explained in detail the parcel sizes and boundary lines. There are also two parcels behind this owned by the Town. They discussed some different uses for these parcels including some additional parking.

Chief Silver stated that there is one additional consideration and that is one of the final pieces to evaluate is the soil conditions on the north side. If they find out that the soil is great on the north side that would be an additional benefit and savings since they know the soil on the south side is not in good condition on the corner where the old police station stood.

Mr. Nichols thinks that the Board would need to vote on moving forward with the soil testing.

Mr. Welch explained that this Board and the Commissioners would need to vote to have this work done.

Chairman Griffin MOTIONED to go ahead with the testing of the soil on the north side of Brown Ave for the possible future site of Fire Substation. Mr. Lally SECONDED.

VOTE: 5-0-0

Chief Silver has one final request of the Board and that is as we are going through this process they are going to need to survey these sites. The funds are available to do this now and they need the approval of the Board.

Mr. Lally MOTIONED to grant Chief Silver permission to survey the sites for the new Fire Stations. Mr. Nichols SECONDED.

VOTE: 5-0-0

Mr. Nichols and Chief Silver discussed possible cost of the survey work and they have not received any quotes yet.

Public Comments in regards to the Fire Station:

John Christensen, 12 Epping Ave, also a member of the Precinct would like to have it clarified that the narrative provided was on behalf of the design team, the architect and the Chief. He pointed out that the gifted land of 1977 has no restrictions as to the use of the land. He was a plan engineer for 10 years. He feels that the station could be attached to the Police Station easy enough.

John Gebhart, 4 Bailey Ave, under the plan that he sees the Precinct would loss 1/3 of its parking. Chairman Griffin commented that the Town is not looking to have anyone lose any revenue. Mr. Gebhart also wonders about the revenue that the Precinct will lose during construction. Chairman Griffin reiterated that all of this will have to be worked out and will be worked out to be equitable to all.

Richard Reniere, 29 Highland Ave, would like to know who the members of the Fire Station Advisory Committee. Mr. Nichols stated the members include Chief Silver, the architect, himself, Ann Carnaby, Tracy Emerick, a commissioner was invited and lastly Charles Navin a resident with a background in engineering. The meetings are open to the public and the next meeting will be announced. Mr. Reniere wonders why it is not going to be built on the existing footprint of the current station. Chief Silver explained that would mean the current station would have to be closed and we would be without fire service for 12 to 18 months during construction. It was discussed that this station would house two engines, a ladder truck and an ambulance. The second floor would contain crew quarters.

John Nyhan, 4 Penniman Lane, he would first like to applaud the work of the Chief, Selectmen and Commissioners. To have success of a project you need facts, communication and working together as a community and he sees tonight as a beginning.

Chairman Griffin sees us as a team with Chief Silver being the coach and we hope to work together as a team. He thanked everyone for coming tonight.

Mr. Roberts wonders in regards to the process is it possible for the Fire Station Advisory Committee to attend the Precinct meeting on October 14th. Chairman Griffin commented that the Chief and Mr. Nichols will attend the meeting.

Mr. Lally wonders if any of the members of the Fire Department are trained in traffic control and they are not.

2. Michael Taffe – New Sidewalk on River Avenue.

Mr. Taffe spoke a couple of weeks ago during public comment period about the need of sidewalk repairs on the west side of River Avenue. He has since met with Mr. Price and Mr. Welch. He provided the Board with a letter, photos and communications that took place during the Infrastructure Project. He is looking for 200 feet of sidewalk with 5 driveway cuts and wants to know what he needs to do to get this done.

Discussion:

Mr. Lally would not be in favor of taking money out of the \$470,000 since the drainage on the other side of Ashworth Ave is so bad. He does agree that the sidewalk is in need of repair. If Public Works has money in their budget than possibly this repair can be made. He did mention that things like this have been presented as private petitioned articles in the past.

Mr. Welch stated that the sidewalk repair money for this year is spent. This is the reason that it is being asked to use money from the Infrastructure Project. Mr. Welch explained that both he and Mr. Price have reservations about using concrete sidewalks. Concrete sidewalks need a large amount of maintenance and can be very costly. Based on this and the fact that on River Ave there are no curbs it would be his and Mr. Price's perspective to put in granite curbs and back it up with asphalt. Asphalt can be repaired in house where concrete repairs would have to be contracted out. This sidewalk would look different but would be able to be maintained by the Town.

There was an additional discussion on the width of the sidewalks at the beach and whether or not the Town is responsible for clearing them in the winter. If so if they are less than 5 feet wide they would have to use shovels to clear them since none of the equipment can accommodate a narrower width.

Mr. Taffe stated that the whole beach is concrete and whether they are being maintained properly is a whole different discussion. All he is asking is that this sidewalk be replaced in the same manner as the remainder of the beach. He also added that putting in the concrete is way cheaper than putting in a granite curb and asphalt.

Mr. Bateman stated that Mr. Taffe keeps saying in like and in kind according to the contract but if the money used is not coming from the contract why would we have to do it in kind. All Mr. Taffe can say is that in all the years of the Infrastructure the work was to be done in kind and this has always been part of the project. The whole project is well under \$10,000.

Mr. Lally wonders what it would cost to put these 200 feet in the budget next year. Mr. Welch explained that the work that was just completed on Winnacunnet Road was \$28,000. Chairman Griffin pointed out that was the granite curbing and what Mr. Taffe is looking for is concrete.

Mr. Nichols expressed that the sentiments he has heard is to use the \$470,000 to solve some problems as opposed to giving it back and he tends to agree with this. He thinks that we need to look to the Town Manager and Public Works Director for recommendations. He has taken a look at this area as well as other areas including the drainage problem at 11 Riverview Terrace and to be quite honest he is more sensitive to the drainage problem.

Mr. Lally reminded everyone of the 90 days that was given to John Nyhan and the Hampton Area Beach Commission to come up with funds to add to the \$470,000.

Mr. Welch informed the Board that FST will be coming in on October 19th as requested. He would suggest that no decisions be made until after hearing from them.

Mr. Znoj needs clarification as to what this \$470,000 can be used for. Mr. Welch stated that this money can be used for any of these projects being discussed. Mr. Znoj commented that the west side of Ocean Blvd the sidewalks are a mess. Mr. Welch pointed out that these sidewalks are property of the State. Chairman Griffin believes that John Nyhan is working to get some grant

funds to improve these sidewalks. Mr. Znoj would like to have a list of priorities of what needs to be done.

Mr. Taffe would like to sum up with asking that if these funds are not used for this sidewalk could it be put in the budget for next year. He would also ask that it be concrete to match the area and not granite as suggested by some tonight.

IV. Minutes of September 21, and September 28, 2009

Minutes of September 21, 2009

Page 6: Change the word "Rover to River"

Mr. Bateman MOTIONED to approve the minutes as amended of September 21, 2009. Mr. Nichols SECONDED.

VOTE: 5-0-0

Minutes of September 28, 2009

Page 4, 8th paragraph: Remove the wording "spiking charge" and replace with the following "placed in the holding account and elimination of the \$650,000.00."

Page 6, 3rd paragraph: Replace the wording "the two seats" with the following "that there is one seat available"

Mr. Znoj MOTIONED to approve the minutes as amended of September 28, 2009. Mr. Lally SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

The Department of Public Works will begin curbside leaf Collection during the month of November. Residents should put out their yard waste (leaves, grass clippings, pine needles, etc., at the curb in either biodegradable paper bags or loosely packed containers that can be easily dumped out. Pickups will occur on Mondays beginning November 2nd continuing through Monday November 23rd barring snow storms.

A bid was awarded to Tennis Courts of New England for \$69,986.00 to construct a basketball court at Tuck Field.

Would the Board permit a question to be placed on the ballot to allow the game of Bingo to be played in Hampton? The Town has not accepted this statute and we have received an inquiry as to whether or not the Board would object.

Discussion

Mr. Nichols questioned in regards to the infrastructure discussion earlier he wonders if Mr. Welch has had any luck finding out if grant money can be combined with these funds for a project. Mr. Welch has looked into this and grant money can be used but there are none available at this time. Mr. Nichols understands that FST will be here on the 19th but he wonders if the bid documents have been requested and if so will they be here before the 19th. Mr. Welch confirmed that the documents have been requested and it is his understanding that they will be provided along with the construction diagrams. Mr. Nichols would like to see a scenario where

John Price and possibly Mr. Welch are as up to speed as possible before we sit here on the 19th. Especially since neither Mr. Welch nor Mr. Price were here at the time of this project.

Mr. Nichols would also like to know the status of the anti mosquito budget. Mr. Welch has asked the staff to inform the Commission that we will be going out to bid. He has not heard their response. Mr. Nichols wonders if they would be putting this out to bid or if it would be done by the Town. Mr. Welch believes that it will be done by the Commission and he will obtain an update for the Board.

Mr. Lally questioned when the deadline is to bring in warrant articles by the public. Mr. Welch is taking a guess that it is the 13th of January but he will look this up and get back to the Board. However, they should be in by the last week in December so the Town Clerk has time to review and return for additional signatures if necessary.

VI. Old Business

Mr. Bateman would like to go back to last week and a situation of placing individuals on various Boards. He spoke about a possible oversight in considering Mr. Rice who is currently serving on a Board. Chairman Griffin pointed out that Mr. Rice holds his position until the end of the month at which time he will receive a proclamation from the Board. Everyone appreciates what Mr. Rice has done.

Mr. Nichols added that Mr. Rice has an awful lot of knowledge and has put in a lot of work and quite frankly it would be his hope and assumption that Mr. Rice is appointed as the at large member.

Mr. Nichols would like to know what the timing is for the Aquarion increase discussed last week. Mr. Welch explained that not only does it have a 2009 impact but is retroactive to 2008. Mr. Welch would expect to see the rate increase on the billing after the increase is approved and will go back to December 2008. It was also discussed that this increase was not factored into Mr. Schwotzer's yearend forecast.

Mr. Nichols spoke on the expansion of the year to an 18 month period and it has kind of sat for a couple of weeks. He thinks that it's worthwhile to have a little bit of additional discussion on this topic. Chairman Griffin suggested that this be put on the agenda for the 19th.

Mr. Znoj mentioned we have talked about disasters and ice storms and power outages. He is now wondering if we will be hearing from the Chiefs on this topic again soon. Mr. Lally thinks that they might be waiting on the Board for a decision as to what exactly the Board wants. Chairman Griffin stated that we will check with Chief Sullivan to see where we are at with this.

Chairman Griffin would like to bring up the Town Clock. He would like to see if we could bring this to a conclusion this year. He thinks that we need to contact Mr. Pratt or Mr. Weber. Mr. Welch believes that the Building Inspector has been checking in on the clock and Mr. Weber has been working on it. There was a discussion as to where the clock would go and there was a suggestion of possibly the new Fire Station.

Chairman Griffin brought up the mapping of the cemetery. There is not a Town around that cannot tell you where someone is buried. There is fairly cheap software available to do this. Mr. Bateman stated that this is the smallest cemetery budget around the State. There was a discussion of work that needs to be done and how money is raised for the cemetery. It was discussed that this could possibly go as a warrant article or part of the budget. If there is

software where would it be located and it was suggested that it could possibly be put on the Town website.

VII. New Business

1. Liquor License "Walgreens" 620 Lafayette Road

Mr. Welch explained that this is a request that the Town received. Mr. Znoj clarified that this is just for beer and wine. Mr. Bateman believes that in the near future as some of the State stores close they will begin to open Agency Stores in places like Hannaford. You see a lot of this in Maine. There was a consensus amongst the Board to grant this request made by Walgreens.

Other New Business

Mr. Nichols asked about the letters in regards to FEMA money. Mr. Welch explained that this is money the Town will be receiving for storm damage over a year ago. This money will be posted as 2009 revenue.

VIII. Consent Agenda

1. Entertainment License – One-Day "Wally's Pub" 144 Ashworth Ave "Pig Roast"
2. Entertainment License – One-Day "Wally's Pub" 144 Ashworth Ave "Police Unity Tour"
3. Raffle Permit "Wally's Pub" 144 Ashworth Ave "Police Unity Tour"
4. Banner/Sign License (2) "Rockingham Craftsman" at Town Entrances on Lafayette Road
5. Dance Hall Permit "Stacey Jane's" 9A Ocean Blvd – Chuck Hughes.
6. Cemetery Deed – Hampton Cemetery – Kathleen Fontaine
7. Cemetery Deed – Hampton Cemetery – Norman Mc Nerney
8. Cemetery Deed – Hampton Cemetery – William Strugis
9. Cemetery Deed – Hampton Cemetery – Thomas Viviano
10. Cemetery Deed – Hampton Cemetery – Jason & Melissa Lajoie
11. Proclamation "Silver Star Day"

Discussion

Mr. Znoj clarified that the Dance Hall Permit for Stacey Jane's is year round.

Mr. Nichols questioned the fact that the Dance Hall Permit for Stacey Jane's is separate from the Entertainment License. The reason he questions this is that Mr. Lally brought something up relative to a time limit for noise on the deck upstairs. Mr. Lally stated that when they opened the deck upstairs they came in and requested an outdoor permit which contained a time restraint.

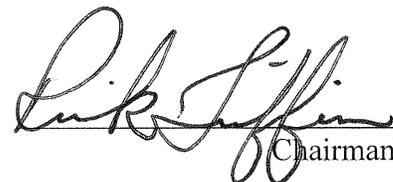
Mr. Lally MOTIONED to move the Consent Agenda. Mr. Nichols SECONDED.

VOTE: 5-0-0

IX. Closing Comments - None

X. Adjournment

The Board adjourned at 9:21 PM



Chairman

The Board went into a Non-Meeting with Legal Counsel under RSA 91-A:2., I., (c)