

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN December 07, 2009 Minutes

PRESENT: Richard Griffin, Chairman
Richard Nichols, Vice Chairman
William Lally
Gerald Znoj
Frederick Welch, Town Manager
Atty. Mark Gearreald

ABSENT: Richard Bateman

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

Gary Meyer, 4 Nersesian Way, noticed that the Board is going to be discussing Warrant Articles tonight. From what he learned doing research this summer he shared some cons and pros for building a Salt Shed. His recommendation would not be to build a Salt Shed at this time but to pursue some more information.

Ed MacDonald, 25 Epping Ave, would like to make some comments on the items under Old Business. In regards to the survey for the Beach Fire Station and the Memorandum of Understanding he believes that the ratings for the site choice are incorrect. He believes the clear choice for the new station is the Municipal Lot. He shared with the Board why he believes the ratings are wrong and reasons why the Municipal Lot is the clear choice. He would suggest that the Board select the Municipal Lot tonight.

John Gebhart, 4 Bailey Ave, he spoke about the loss the Precinct would suffer in parking revenue. He also does not understand why the Town expects the residents of the Beach to absorb a larger portion of the cost of this Fire Station than the residents of the Town. Mr. Nichols reminded everyone that the Precinct Board and the Board of Selectmen did agree to a 50/50 split. Although Mr. Gebhart's math is correct the actual dollars involved are \$1.50 versus \$7.50 per year. The whole point is the ratio is correct but it is \$6 a year that is the difference. Mr. Gebhart added that if this is the case why not ask the whole Town to pay \$3 as opposed to the Precinct paying 5 times more than the Town.

II. Announcements and Community Calendar

Mr. Lally shared with the Board that Walt Galvin passed away. He was retired from Arlington Police and has 4 sons who have served for the Town of Hampton 3 of which are still serving the Town. There will be a service on Wednesday morning. His condolences go out to the family.

III. Appointments

Ed Tinker – Town Assessor would like to give the Board an update. He spoke of the following changes made in the office: computer terminal available outside their office for the public use, in the process of putting Town/Zoning maps online, reorganized office, looking for field people and lastly letters have gone out to new sale property to set up appointments to go into these properties to measure.

Discussion

Mr. Nichols suggested that two items under New Business be discussed now since Mr. Tinker is present and has a long ride home.

There was an additional discussion about Vision Appraisal and things are essentially underway. Mr. Znoj added that we will be entering into all new sales since April 2008.

Chairman Griffin questioned how the Tax Assessors Office fits into the hierarchy of the Town. Mr. Welch explained that the Tax Assessor reports directly to the Board of Selectmen. The Selectmen are the Assessors of the Town by statute. Mr. Tinker is the Chief Assessor and he reports directly to the Board on items dealing with assessing.

IV. Minutes of November 23, 2009 and November 30, 2009

November 23, 2009 Page 1 - Under Announcements - change the word “union’ to “reunion”

Mr. Znoj MOTIONED to approve the minutes of November 23, 2009 as amended. Chairman Griffin SECONDED

VOTE: 4-0-0

November 30, 2009

Page 3 – First paragraph, third sentence that begins with “This Committee”, change the wording “4 of which he believes” to “and 4 members appear to”.

Mr. Nichols MOTIONED to approve the minutes of November 23, 2009 as amended. Mr. Lally SECONDED

VOTE: 4-0-0

V. Town Manager’s Report

Petitions to amend the Zoning Ordinance must be submitted by 5 PM this Wednesday, December 9, 2009 to be placed on the Warrant for Town Meeting.

Again a reminder that the Winter Parking Ban is in effect on all streets in Hampton from 1 AM to 7 AM until March 15th. The Police Department is ticketing vehicles parked in violation of this Ordinance.

We have noticed a number of individuals are placing signs at the roadside or on sidewalks. Please remove them. Winter snow clearing operations will result damage to the both the sign and Town equipment and possible physical damage to individuals.

Signs placed in violation of the Town's sign Ordinance will be removed. If you wish to place a sign it must conform to Town Ordinances and have a permit issued by the Building Department. Permits can be applied during regular business hours at the Town Hall.

Please remember those who fought for us 68 years ago today at Pearl Harbor. Pray for and give thanks for our Service Men and Women who fight for us today.

The bridge at the Beach starting Tuesday December 8th the walkway will be closed.

The Police Department will be conducting night fire arms training this week.

We have received from CAT the GSA contract number for the generator to be placed at the Town Hall.

He provided the Board with a memo from the Planning Board stating that they will have 6 zoning articles for the warrant.

He would like to remind the Board that he will not be present next Monday night since he will be in Brentwood listening to the preliminary agenda for the Southeast Watershed Alliance. Mr. Schwotzer will be asked to sit in on the meeting.

Discussion

Mr. Nichols questioned the cost of the generator. Chief Silver informed the Board that the generator cost was a few hundred dollars under \$25,000 and the switch which was a 1200 amp outdoor switch was about \$15,000. The total request was for \$40,000 which 50% will be covered under a grant. Chief Silver and Kevin Schultz are looking at ways to bring down the cost of the switch.

Mr. Lally questioned the closing of the walkway on the bridge. He was under the impression that the walkway was not going to be closed since people use it to walk to work. Mr. Nichols remembers discussing this with the State and that at the time they did not have a solution. Mr. Welch added that there was talk of running a bus at certain times and that was rejected because of cost. There was an additional discussion about this problem and how the State did not deal with this problem. Mr. Lally would like anyone who is going to be affected by this to send an email to a member of the Board. There was also a discussion about whether a bike could be rode across the bridge and why individuals cannot walk in the road.

VI. Old Business

1. Award for Land Survey Services

Chief Silver explained that the Town received 11 responses and have narrowed it down. The lowest bid came in from a company who met all the requirements and all references were favorable. Chief Silver would recommend that the RFP award for survey services for both the Winnacunnet Road site and properties identified on tax map 287 containing 5 parcels be awarded to Bedford Design Consultants Inc of Manchester, NH. The total proposal cost of \$4,950. There are two additional items that the Chief is going to request them to complete and they are a

Wetlands Delineation and set any missing property corner monuments. The cost after adding these two items is \$6,880 which is still \$1,920 less than the next low bidder.

Discussion

Mr. Nichols commented on the benefit of bidding something out since Chief Silver's first estimate was up around \$17,000. Mr. Nichols also clarified that this bid will allow the Chief to remain within the \$50,000 allowed in the warrant article.

Chief Silver would also ask that the Board waive any bidding requirements for the additional two items.

Mr. Nichols MOTIONED to accept the Chiefs proposal on the survey with Bedford Design Consultants and in addition waive the two requirements that would drive it up over \$5,000. Mr. Znoj SECONDED.

VOTE: 4-0-0

Chief Silver would like to respond to a few points that have been brought up over the past few weeks with respect to the process and the sighting for the Fire Station Project. He shared a letter with the Board from Mr. Gillick who was a member of the original committee for the selection of a site for the Station. It was clearly stated that the recommendation of the committee would be to have the Station on the present site on Ashworth Avenue. It did suggest if the recommended site could not be used they would recommend that the Station be placed as close to the current site as possible but not to the south of the intersection of Ashworth and Brown Avenue. He also shared letters from two other members of the committee. Mr. Lally stated that he found the same letters that Chief Silver has shared with the Board. Mr. Nichols commented having been on that committee that the spirit of the discussions was that it be specifically within the immediate proximity of the existing station. Chairman Griffin commented that all the years it has been discussed by the Precinct it was to be at that spot also.

Chief Silver added that the cost to add the additional meeting space for the Precinct is going to be less than what was originally expected. They have gotten the schematics to a cost estimator to get some accurate cost of this project. Land surveys and title searches concerns cannot be avoided on either the Town or the Beach Stations. He clarified that if the Station is located to the North of Brown Avenue there would not need to be additional traffic signals. If it is placed to the South of Brown Avenue additional traffic signals are needed. He shared the reasons for wanting the ramp orientation to be facing either north or south. Adding radiant heating to the ramp does not produce savings in the future but instead increases the costs such as electricity. As far as having to drive pilings and the possible damage to other buildings the Chief has spoken with other Town Officials and this has not been a problem with other construction projects that had to do the same. However if concerns continued there are measures that can be taken to protect nearby properties and underground utilities. No elaborate drainage is needed. He also shared more information in regards to the rating schedule specifically in regards to the loss of parking revenue. Now that we have a better understanding of the footprint of the building we have been able to evaluate the impact on either side of the roadway. The lost parking revenue "or the lost gross parking spaces" on the south side of Brown Ave still far exceeds the lost parking spaces on the north side.

Chief Silver updated the Board with the following information: completed the schematic designs for the floor plan, the remainder of the schematic designs should be completed within the week and cost estimates should be complete in about two weeks.

Discussion

Mr. Znoj questioned the lost parking spaces. Chief Silver explained again that the loss of spaces would be greater on the south side of Brown Ave.

Mr. Lally appreciates the input from the public.

Mr. Nichols would like to thank both the people who raised these concerns as well as the Chief for taking the time to research and address a lot of the concerns. Mr. Nichols thinks that communication is the key here.

Chairman Griffin thanked the Chief for doing such a great job.

2. Fire Station Memorandum of Understanding – The memorandum of standing will be discussed under Non-meeting with Legal Counsel - RSA 91-A:2., I., (c).

Other Old Business

Mr. Nichols questioned whether or not Mr. Welch could provide the Board with an update on the Westside streets. Mr. Welch reported that he is working with FST and they will be coming back to him with some reliable cost estimates. He hopes to have more information within the week.

Chairman Griffin would like to report that Nancy Stiles, John Nyhan and himself will be going to Senator Judd Gregg's office on Wednesday to discuss possible funding for the Westside streets.

VII. New Business

1. 2009 Abatements

Mr. Nichols explained that two of the items are housekeeping to do with Town properties however the third one actually has some dollars involved. This item is related to the St. James Lodge and was discussed on May 11th and May 18th. He questioned the abatement amount of \$8,161 which he believes represents the full amount of the tax bill. Mr. Welch agreed that it is the full amount and explained that they have been billed through the Finance Department in lieu of taxes and both bills have been paid. The bill represents the fire and police costs. Mr. Nichols believes that the abatement according to his calculations should be for around 70% of the total tax bill and not be the full amount of \$8,161. Mr. Welch explained that this is being done this way since the bill actually went out from the Finance Department and not as a tax bill. The amount of the bill is the 30% of the tax bill which covers the cost of fire and police protection. There was an additional discussion as to whether or not hydrant cost should have been included in the amount billed as part of fire services. Mr. Welch will have the Finance Department look at the calculation.

2. 2009 Equalization Municipal Assessment Data Sheet Certificate

Mr. Tinker explained that each year the Town will submit a report to the Department of Revenue in regards to sales. He shared with the Board some of the statistics that this report generates for the Town. One thing he pointed out is that sale prices are at 4% below the assessed value.

Discussion

Mr. Nichols commented that there were 214 qualified sales as opposed to 297 qualified sales on the last report filed and 32 sales were excluded for foreclosure.

Mr. Znoj would like a greater explanation of the report. Mr. Tinker provided further information and explained one line item in detail for Mr. Znoj. Overall we are within all the limits for all the requirements. Mr. Nichols pointed out that it looks exceptionally good.

Mr. Lally happy to see the figures the way they are.

3. Warrant Articles

Mr. Nichols provided the Board with a spreadsheet he has prepared showing the tax impact on the money articles. His overall comment is he would prefer the Board to see closer to a 2% increase as opposed to a 4% increase as proposed by current drafted Warrant Articles and budget.

Discussion

Mosquito Control

Mr. Znoj questioned the Mosquito Control drafted Warrant Article why it is for \$60,000 when only \$50,000 was expended. Mr. Nichols clarified that there is \$60,000 in the 2010 budget so if you include this you come up with \$120,000 and in 2009 between budget and Warrant Article it was a total of \$110,000. Mr. Nichols added that he has spoken with Ann Kaiser and the Mosquito Control Committee is meeting tomorrow to go over the bids. Mr. Nichols would request that the Committee come to the Selectmen's meeting next Monday to go over the bid results and provide some education for the public and the Board. Mr. Welch added that the State has revised their reimbursement process and will be reimbursing the Town 100% depending on the appropriation amount and whether or not Hampton is declared an emergency area. Hampton has been declared an emergency area every year.

Social Services

Mr. Znoj wonders why Social Services are down. Mr. Nichols explained that basically the transportation assistance for seniors was on the warrant last year for \$6,400 and this year it showed up for \$1,000. Mr. Nichols explained that there were two Social Services Articles put in as separate Warrant Articles last year and this year they are combined into this Warrant Article.

Mr. Znoj asked about the Road Improvements proposed for \$260,000 plus the \$40,000 from the Capital Reserve giving us \$300,000 but the tax payers will only see a request for the \$260,000. Mr. Welch agreed that yes the appropriation would be for \$260,000. Mr. Znoj would be in support of this since this is how we keep our roads in good condition.

Mr. Lally commented that Mr. Nichols proposal to take 2% out of the 4% increase. He would like to know what Mr. Nichols proposes. Mr. Nichols would like to see the taxes not go up, and go forward with a 2% increase instead of 4%. Mr. Nichols does not think that it is clear where to make these cuts. He thinks it will take a lot of discussing and opinions of others. He believes that if you go in asking for a 4% increase you will not get all of the items being discussed. He reminded everyone that at the beginning of the year it was a goal to make the Fire Station succeed. Mr. Nichols has not done the numbers yet to see the effect of removing one item or another at this time. He thinks that there needs to be a little more research done on the Salt Shed. Mr. Nichols shared some information on conversations that he has had with Mr. Price in regards to the Salt Shed. After some research is done he wonders if maybe the \$210,000 number can be

dropped to \$100,000. Chairman Griffin pointed out that the Salt Shed is an item that has been coming up year after year and has been voted down each time. Chairman Griffin thinks this is something to take into consideration. Mr. Znoj would like to see what the cost savings are if we put in a Salt Shed. There was an additional discussion on some structural problems with the current storage location for the salt and possibility of downsizing the proposed Salt Shed storage capacity. Mr. Nichols and Mr. Lally both agreed that maybe you could scale back the amount for Road Improvements also.

Capital Reserve

Mr. Znoj commented that we have a pretty significant Undesignated Fund Balance and he would suggest that we begin to use any excess money available to buy capital equipment. He did add that he is not suggesting all the money be spent, just an amount that the Board is comfortable with and is within the State Guidelines. Mr. Welch pointed out that the Board cannot just approve the purchase of capital equipment, and that it would have to be approved by the voters in the form of a Warrant Article. Mr. Nichols tends to agree with Mr. Znoj. Mr. Nichols shared some numbers with the Board. The balance in the Undesignated Fund Balance as of the end of 2008 was \$2.9M. If you add the \$750,000 year end savings and the expected balance in Reserve for Contingency Fund of \$450,000 you get roughly \$4.1M. It appears to the Board that maybe some of the proposed Warrant Articles can be funded through the Undesignated Fund Balance which would have no impact on the tax rate.

There was an additional discussion on retirement issues. Mr. Nichols believes that Mr. Schwotzer has taken these issues into consideration when preparing the budget. There was talk about the spiking charge and possibility of it being extended until 2011.

Mr. Welch does not disagree with what Mr. Nichols has done with the numbers in regards to the Undesignated Fund Balance. Mr. Welch stated that he did something similar to this in Seabrook. Mr. Welch also explained that the majority of the capital reserve is needed for Public Works.

The Board agreed that this would be the way to go. Mr. Welch will draft the language to have the funds for the Public Works Capital Reserve and Road Improvements come from the Undesignated Fund Balance and have no tax impact.

Mr. Nichols would make the overall observation that at the current time there are 16 proposed Warrant Articles and last year there were 34 Selectmen sponsored Warrant Articles.

Other possible Warrant Articles

Mr. Nichols wonders why the Church Street Pump Station is not being proposed as an article. Mr. Welch stated that this is a very large project somewhere around \$1.5M and that is why it is not being proposed. Mr. Znoj wonders if something might be done on a smaller scale.

There was a discussion about the T intersection on Lafayette and Winnacunnet. Mr. Welch reminded everyone where we wanted to go with this and the need for the transfer of property. Mr. Welch stated that technically if there is not a Warrant Article drafted to go before the voters than the land must be reclaimed. Mr. Welch added that if a petitioned article does not come in soon he will provide the Board with the drafted article for them to either approve or not.

Mr. Nichols stated that the biggest thing he heard last year is that there was not a cost provided to the voters and in order for this to past this information needs to be provided. Therefore there needs to be an appraisal to find the value of the land and we need to get estimates for the

construction work. Chairman Griffin suggested that we need to contact the owners of the Galley Hatch. Mr. Nichols wonders if there is an option to lease the land if there is a vote at Town Meeting. Mr. Welch will research this with Atty. Gearreald.

Mr. Lally wonders if there is going to be anything on changing the fiscal year. This is abeyance for a year.

Mr. Welch stated that there are some more Warrant Articles coming. He mentioned a petition article to abolish the Cemetery Trustees and put this under the control of the Selectmen and the Town Manager.

Mr. Welch wonders if the Board wishes to do anything in regards to the ordinances about dogs on the beach. Mr. Welch wants to know if the Board wishes for him to draft an article so that the two current articles read the same since they currently contradict each other. The Board does not agree on this topic. Chairman Griffin does not believe the Board should waste time on this since it is not enforced. Mr. Nichols pointed out that one of the articles is very liberal and that is the one that is posted on the beach at the current time. Mr. Lally pointed out that the real problem is that the waste it is left on the beach by the owners, and is not necessarily that dogs are on the beach.

Mr. Welch stated that they have found some more streets that have not been accepted by vote at Town Meeting. This is the same situation as last year that all the work has been done to accept these streets but it never went to vote.

Mr. Welch informed the Board that they are actively working to rewrite the taxi license ordinance since the current one does not comply with the statutes.

There will be an article on the Rye issue. Mr. Znoj pointed out that we need this revenue.

Mr. Welch also wonders if the Board would like him to draft an article on the percentage charged to Leased Land Owners. Mr. Nichols thinks that the lease is still very attractive when compared to the cost of a mortgage and he does not think that this is fair to the general taxpayer or the people who have purchased over the past years.

Mr. Nichols would like to comment on three non money articles. He does not understand the problem that we are trying to solve with the Tree Warden article. Mr. Welch commented that under the Statue the Town does not have the authority. The Utility is not currently maintaining the Town's trees on a regular basis. Mr. Welch clarified that this is not to add a position, but instead use an employee within Public Works to do this task. There was an additional discussion about the ice storm and the problems that arose from trees.

Mr. Nichols commented on the Solid Waste Ordinance amendment and wonders if it is true that the State is not charged tipping fees for what they pick up on the Beach. Mr. Nichols does not feel that the State should be made exempt from these tipping fees in an Ordinance. Mr. Nichols feels that it would be better left out of the Ordinance and in return give the Board some flexibility on this topic. Mr. Welch will have a draft for the Board

Other New Business

Chairman Griffin mentioned that at the lighting of the Christmas tree it was reported to him that one of the horses got spooked. Mr. Welch will look into this.

VIII. Consent Agenda

1. Hampton Cemetery Deed – Francis A. and Doris B. Croteau
2. Hampton Cemetery Deed – Gary Kittredge
3. Hampton Cemetery Deed – Lee Ann Kelly
4. Hampton Cemetery Deed – Thomas Corroon
5. Hampton Cemetery Deed – John Cann

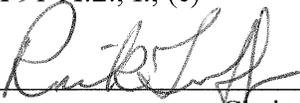
Mr. Znoj MOTIONED to accept the Consent Agenda. Mr. Lally SECONDED.

VOTE: 4-0-0

IX. Closing Comments - None

X. Adjournment at 9:29

The Board entered into non-meeting with Legal Counsel under RSA 91-A:2., I., (c)



Chairman