

Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, MARCH 22, 2010

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

6:30 PM Non-meeting with Legal Counsel - RSA 91-A:2., I., (b)

7:00 PM

SALUTE TO THE FLAG

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

I. Public Comment Period

John Gebhart, 4 Bailey Ave, would like to inform everyone that the Precinct will have the polls open on Friday from 1 to 7 pm at which time individuals will have the opportunity to vote on the elected officials. At 7 pm they will hold their Deliberative Session and if anyone would like to have a say on the Warrant Articles and vote on the Warrant Articles you must be present at that time.

Warren Mackensen, 31 Forest Drive, he looks to the Selectmen of the Town to be the visionaries looking out 10 to 20 years and he would like to share an idea with the Board. He spoke about the fire at the beach and the land that is now vacant. He would suggest that the Town and Selectmen in particular take a hard look at considering this lot as the location for the Fire Station with a four or five story parking garage on top. Mr. Mackensen shared the benefits of looking at this location.

Chairman Nichols expressed to the Board that he has allowed quite a bit of latitude on public comment over the last few weeks. He would like to know the opinions of the Board on public comment period. He added that tonight's public comments did not have anything to do with items on the agenda.

Mr. Bateman thinks it should be limited to 5 minutes. Mr. Bateman does not have a problem of allowing the topic to be the choice of the individual.

Mr. Griffin thinks that a time limit is necessary. He would suggest 3 minutes and if anyone wants to speak longer they can call and be put on the agenda.

Mr. Znoj thinks that 5 minutes might be a little too long. He would suggest limiting the time to 3 minutes. He is not sure how he feels about commenting on topics that are not on the agenda.

Mr. Lally would agree on the 3 minute time limit.

Chairman Nichols summed up that it is the opinion of the Board that they do not have a problem on the topic but that a time limit should be set.

Mr. Griffin did point out that the public comment should remain at the beginning of the meeting since it is working well.

II. Announcements and Community Calendar

Mr. Lally would like to give a shout out to the Boys Basketball team for a job well done. They lost in double overtime by one basket.

Mr. Bateman would like to celebrate a young 24 year old gentlemen out of Hampton Falls who suffered a severe injury to his back in high school and was told he would never walk again. He just returned from Canada with a gold medal in sled hockey.

III. Appointments

1. Edward Tinker – Assessor

a) Approval of Special Sewer Abatement – 9 Downer Drive

Mr. Tinker explained that the property owner would like an extension of filing deadline due to the storm and the fact that he was without power for 3 days. The deadline was March 1st and he filed on March 8th.

The Board agreed that they did not have a problem with allowing this request to be granted. Mr. Tinker explained that others were denied for not meeting the deadline who filed between March 1st and March 8th. Chairman Nichols would like to leave this item until the end since other items on the agenda might have an impact on this item. Mr. Znoj pointed out that the previous Assessor was very strict at enforcing deadlines and Mr. Znoj feels that maybe we could be a little more flexible.

b) 2009 Sewer Abatements

Mr. Tinker explained to the Board that last week he provided the Board with a spreadsheet of the abatements which has been revised due to an error in the formula.

Chairman Nichols clarified that when the original calculation was done the amount of the abatement was at \$.66 per thousand, this was based on budgeted expenditures and not actual and it did not take into account revenues that had come in, in relation to the Waste Water Treatment Plant. Therefore based on the actual numbers the rate is reduced to \$.42 per thousand.

Mr. Tinker also shared with the Board some history about the inconsistencies with the property owners who have filed for abatements over the past couple of years. Chairman Nichols added that based on the database 46% of the people eligible for an abatement did not file for one this year. Chairman Nichols thinks that this shows that there are major flaws in the process in place for handling these sewer abatements. He thinks a lot of this is because people are not aware that

this is available to them. Chairman Nichols pointed out that there is no legal requirement to have a form completed by the property owner.

There was a discussion that if the Board decides to go forward with a new process of issuing the abatements based on the information in the database it will take several weeks and all the properties will be cross referenced to make sure that they are not on Town sewer. Chairman Nichols would recommend that we eliminate the whole process of completing the form and go through the exercise of verifying the accuracy of the database and then provide this rebate on the sewer to people who are eligible without the process of forms. From a cost standpoint of the ones that did not file Chairman Nichols came up with an average abatement of about \$249 per property if you multiply this by the approximate number of 266 (who did not file) you are looking at a number in the ballpark of \$50,000. Chairman Nichols added that yes it is a cost but it is what is fair.

Mr. Znoj wonders why 266 people did not file and also would like to know how the accuracy will be verified. Mr. Welch stated that the information will be verified by Public Works. It was also discussed that sewer permits are issued by Public Works and very few are added each year. There was a consensus amongst the Board that they are going to use actual cost and do it on a net basis offset by revenues, the list will be verified and apply the sewer rebate at a rate of \$.42 per thousand and it will be done on the complete list.

Chairman Nichols pointed out that the request made by the property owner at 9 Downer Drive is not necessary now that the process has been changed. This property owner will be receiving the sewer abatement with no need to file the form.

c) 2008 Appeal – 132 Kings Hwy Unit #2 – MacGuire

Mr. Tinker visited this property and the value of the property has dropped.

Mr. Znoj pointed out that the appeal actually worked its way into 2009 and is only about \$104 difference.

Mr. Znoj MOTINED to accept the settlement on 132 Kings Hwy Unit #2. Mr. Lally SECONDED.

VOTE: 5-0-0

a) 2008 Appeal – 169 Winnacunnet Road – Fairpoint Communications

Mr. Tinker did an interior inspection and re-measure on this property. There was about a \$36,000 reduction in valuation. They also have agreed to a settlement for the 2008 and 2009 tax year.

Mr. Lally MOTIONED to accept the settlement on 169 Winnacunnet Road. Mr. Znoj SECONDED.

VOTE: 5-0-0

b) Approval of the Disabled, Elderly and Veterans Property Tax/Exemptions

Mr. Tinker has provided the Town Manager with the list of 2010 Disabled, Elderly and Veterans Property Tax/Exemptions applications. Mr. Tinker explained that they have sat down with each of these applicants and believe that they qualify for this.

Mr. Znoj clarified that the deadline to file for this exemption is April 15th and applications are available online or at the Assessing Office.

Mr. Lally MOTIONED to approve the Disabled, Elderly and Veterans Property Tax/Exemptions applications provided to the Board. Mr. Griffin SECONDED.

VOTE: 5-0-0

IV. Minutes of March 08, 2010

Mr. Znoj MOTIONED to approve the minutes of March 08, 2010 as submitted. Mr. Bateman SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

The Town Office generator and transfer switch are at the vendor's yard. The Public Works Director in conjunction with the Building Inspector will be facilitating the installation in the near future.

We have received a request from Mr. Ray Blondeau for the Selectmen to write a letter to Unitil requesting that their investigation of the Hampton Beach fire be concluded as soon as possible so that reconstruction can be started.

How does the Board wish to handle appointments to Board, Commissions and Committees for the year 2010?

Please note that House Bill 1664 will amend the State Budget by decreasing the amount contributed by the State to the Retirement System by 5% in 2011 at a cost of \$27,100 to the Town of Hampton. Sums deducted from employees will also increase for Town and School workers from 5% to 7% of pay and for police and fire employees from 9.3% to 11%.

We have received request from the Pairpoint Group to install a catch basin cover in place of a solid cover in a drain manhole cover to relieve flooding behind 436-448 Lafayette Road. The request requires Board approval. This location is behind Café Fresco.

The Tax Collector's Office will be closed Tuesday, March 23rd and Thursday March 25th for training workshops.

Discussion

Chairman Nichols read the list of vacancies on Boards, Committees and Commissions. Mr. Griffin thinks that if there are people in these positions who wish to remain in them that they should be able to remain. He also thinks that it should be up to the Chairman of each of the committees.

Chairman Nichols does not have a problem with allowing the Chairman to provide input but he would like to put the information out there for any interested individuals. Mr. Lally does not have a problem with putting it out there to the public. It was agreed to ask each Chairman to see if they have members who do not wish to continue so the positions can be filled.

Mr. Lally spoke about drainage improvements on Cogger Street. He wonders if there is anything on the horizon to help this area. Mr. Welch will have to take a look and get back to the Board.

Chairman Nichols asked about House Bill 1664; the information provided in the LGC legislative bulletin indicated exactly what Mr. Welch said in terms of the State reducing their portion but what it also said was that employees rates were increasing and it went on to say that this would offset the municipal increases. Chairman Nichols would suggest that after the vote this should be looked into to see if it will have an impact on the budget. Mr. Welch will keep an eye on this.

VI. Old Business

1. Budget Discussion

Chairman Nichols started the discussion by explaining that tonight he would like to have a discussion on the budget and come up with some sort of a process associated with getting from the Default Budget to what ultimately becomes the 2010 revised budget. For 2010 the bottom line budget number that the Board is working with is \$24,374,733. The Selectmen's proposed budget was \$24,365,934 so there is actually about \$8,799 more to work with. The 2009 actual spending was \$23,418,060 which is \$956,000 less than the Default Budget bottom line. So it appears to Chairman Nichols that there is adequate funding in the Default Budget.

Chairman Nichols added that some of this has been eaten up in increased cost in health insurance and retirement. Some of the highlights that Mr. Nichols would propose are: begin with the 2010 Default Budget, decide on a municipal tax rate similar to what we did last year, make the necessary changes to get to the Selectmen's proposed budget from the Default Budget, leave the other elected bodies budgets alone leaving them at the Default Budget, need to move money from lines that appear in excess into the other cost offset account as used last year depositing \$450,000, need to move some of the EMS operating expenses from the Operating Budget into the EMS fund, he thinks we should restore fire wages to the 2009 actual and he would like to see a proactive approach when moving the money to the cost offset account.

Mr. Schwotzer commented that there were two things that came up when he had the meeting with Chairman Nichols and Mr. Welch. One is the tax effect spending from the budgeted level. The other is to go over a calendar to look at the timeframes. He provided the Board with the 2009 information that lead to the tax rate being set at \$6.41. He then listed out all the warrant articles including the budget, less the income as budgeted, minus the warrant articles that had self funding, add the overlay and then you add back the credits. Therefore if nothing is done the tax rate will jump to \$6.55. If we want to make the 2010 tax rate equal to last year we need to reduce the budget by \$400,000. He believes that there is more than adequate funds in the undesignated fund balance to help offset this \$400,000 and still keep us at the \$2.7M balance.

The second item Mr. Schwotzer would like to talk about is the timeframes that we have to deal with. Today is March 22nd by next Monday night he would like to come back with an initial pass at the adjusted budget. After that they will be able to talk about where they really want to go for the final number. On April 5th he would then present the revised budget and if it was accepted it could be declared the budget for the year. He would then close the books and come before the Board on April 12th with March numbers reflected against the revised budget. Starting on April 19th he begins audit.

Mr. Schwotzer added some information about the drop in motor vehicle revenue and at this point he would predict about a \$200,000 drop in revenue so if this is added to the \$400,000 you get \$600,000 that needs to be removed from the budget to remain at a level tax rate. He would look at line items over \$5,000.

Discussion

Chairman Nichols would like to see it proceed in this fashion. He also mentioned that email can come in very handy over the next few weeks to help the Board communicate with Mr. Schwotzer so as to not hold the process up.

Chairman Nichols brought up the line item for employee separation cost and the fact that in 2010 it is set at \$317,000 and in 2009 the actual expense was \$110,000. Mr. Schwotzer commented that this is an estimate for retirements in 2010. Chairman Nichols would suggest going back to the Department Heads to see if this number can be adjusted at all.

Mr. Znoj has also gone through the budget and will communicate the information he came up with to Mr. Schwotzer.

Mr. Schwotzer would like to point out that the Board was very confident with the budget that they had put forward before and the bottom line is the same as that budget. Therefore putting everything to the Board of Selectmen's budget should take care of this then we can look at where we put ourselves in this year's budget and where did we actually spend money in 2009. Chairman Nichols added that one major thing has changed since the Selectmen submitted their budget and that is the revenue number. Mr. Schwotzer stated that last year revenue came in at \$6.15M and this year he has budgeted \$6.14M.

Chairman Nichols shared some information he came up with when doing an analysis on the EMS fund. He took the year end revenue report for 12/31/09 and he used the revenue estimate for this year by adding one month to last year's revenue and added that to the December number coming up with estimate a little under \$600,000. He then took the expense level that the Chief ran through the fund last year and deducted that after deducting this from the \$175,000 that they want to leave in the fund he came up with about \$250,000. This will not be an annual thing but he thinks there is an opportunity to move things out of the budget into this fund.

Mr. Znoj would suggest that all the other funds be looked at and any cost that can be moved from the operating budget to another fund should be done. Mr. Welch and Chairman Nichols both commented that they do not believe that there are any other funds where this can be done.

Chairman Nichols would suggest that Mr. Schwotzer be put on the agenda as an appointment for next week. Mr. Schwotzer will put the information together in a spreadsheet form by Friday so the Board can review over the weekend.

There was an additional discussion about leaving the elected boards/committees at the default level. Chairman Nichols stated that the net of all these is about \$17,000. He thinks that the default budget is what was voted for so he thinks they should be left alone. The Board agreed that this was the way it should be done.

Chairman Nichols would like to bring up the subject of the Mounted Patrol which was removed by the Board. He thinks that this needs some level of discussion. He wonders if the Board wants to bring this back at the \$21,000.

Mr. Bateman thinks that this might be something that we want to go back to the Chief with.

Mr. Welch has asked the Department Heads to provide him with revised budgets and he will forward them to the members of the Board.

Other Old Business

Mr. Griffin wanted to mention that there have been some complaints about recycling.

Chairman Nichols wanted to bring up a complaint on noise from an establishment on F Street.

Mr. Lally stated that we now have the new ordinance in regards to entertainment licenses. Chairman Nichols wonders if the Police Department should stop by these two establishments in the complaint. Mr. Lally would suggest that the new ordinance for entertainment be sent out to all the establishments making them aware of the new ordinance.

Mr. Welch stated that this can be done and he would suggest that the littering ordinance be included. Mr. Bateman would suggest buying a decibel meter.

Mr. Griffin pointed out that a lot of the problem is that the establishments keep their doors open. This will not be allowed under the new ordinance. Mr. Griffin thinks that if a complaint is received the establishment should be notified.

Mr. Bateman thinks that if everyone is notified in a positive way it will work well. The Board agreed that a letter with the ordinance should go out to the businesses.

Chairman Nichols commented on the effort made by both the Town and the State to get trash barrels out this past weekend during the warm weather.

VII. New Business

1. Boards, Committee and Trustees Term Expirations – Discussed under Town Manager’s Report
2. Use of Town Property “Hampton Garden Club” May 22, 2010

Mr. Welch explained that the Board had given him permission in the past to approve this but it happens to be on the same day as the Household Hazardous Waste Collection.

Mr. Lally suggested contacting the Hampton Garden Club to let them know that this is the same day and they should probably reschedule their date.

VIII. Consent Agenda

1. Authorization of the MS-2 Report of Appropriations Actually Voted
2. Approval and Adoption of the 2010 Investment Policy
3. Library Appointment “Robert Lamothe” 1 Year appointment to serve out the elected position from Town Meeting Vote on March 09, 2010
4. Raffle Permit “Police Unity Tour” April 2, 2010
5. Parade and Public Gatherings License “Seacoast Safari” July 17, 2010
6. Use of Town Property “Seacoast Safari” July 17, 2010

Mr. Znoj questioned the need for traffic control for the above Parade and Public Gathering permits and Mr. Welch stated that they have been through the Police Department.

Mr. Bateman will abstain from voting on item 4 above since he is a part of this fundraiser.

Mr. Bateman MOTIONED to move the Consent Agenda. Mr. Znoj SECONDED.

VOTE: 4-0-1 (Bateman)

IX. Closing Comments

Chairman Nichols reviewed a laundry list of groups and individuals that the BOS would like to schedule appointments with.

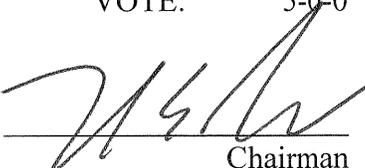
Chairman Nichols pointed out that there are some Warrant Articles that require action by the Board. He would suggest that this be put on the agenda in the near future for discussion.

X. Adjournment

Mr. Znoj MOTIONED to adjourn. Mr. Lally SECONDED.

Meeting adjourned at 08:57 PM

VOTE: 5-0-0



Chairman