

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN May 03, 2010 Minutes

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

7:00 PM

SALUTE TO THE FLAG

I. Public Comment Period

Mary-Louise Woolsey, 148 Little River Road, would like to expand briefly as a tax payer on the remarks she made a couple of weeks ago at the Budget Committee meeting. She will be making a motion at the Budget Committee meeting on May 18th to ask under RSA 32:16 that the Board of Selectmen provides the Budget Committee with documentation of purchases in the Public Works Department, bypassing the bid process if it happens and the amount of money spent on making the Director's vehicle an emergency response vehicle. She commented on the fact that she cannot remember a time when a Public Works Director did not drive a pickup truck. She will supplied the Board with a memorandum containing multiple questions in regards to spending and the bid process. Chairman Nichols would suggest that Mary-Louise have the Chairman of the Budget Committee submit a list of the questions to the Board and they will then do their best to respond.

Eileen Latimer, 251 Mill Road, here tonight as a taxpayer and not a representative of the Budget Committee. She has been following the drainage issues and is getting confused on the areas that they are focusing on. She shared some information and concerns on the water behind her property. There is an easement on the property. She has spoken with Mr. Price, Mr. Welch and Mr. Lally and there seems to be some confusion and everyone does not appear to be on the same page as to what is being looked at in the drainage study. There have not always been drainage problems in this area and she would like to know if this area is included in the drainage study. Mr. Welch commented that they met with DES last week on this very issue and the Town does not have any jurisdiction there. Where the pipe ends is the end of the Town's jurisdiction and the rest of the property is owned by the water company. They were asked point blank if they were going to remove the blockages on their property and the answer was if we want to make applications and go out there and not disturb any dirt then we can go ahead and do that. Mr. Welch gave some further information about the trees down and the blockages in this area and the

fact that the water company is not interested in doing any excavation nor will they give permission for someone else to do it. Chairman Nichols commented that he has been down in this area along with Mr. Znoj and this is a complicated problem that cannot be solved during public comment. Ms. Latimer would like the line in the report that says this area does not have any deficiencies removed since it is not true. Chairman Nichols would suggest that she give us 3 to 4 weeks and then visit this issue again. Mr. Welch would also suggest that she call Aquarion and express her concerns to them about the water/drainage problem.

John Nickerson a resident on Cogger Street. He wanted to inform the Board that an engineer from BETA Group visited his property this morning and did a wonderful job obtaining information. He just wanted to make sure that people did not think that the Board was not doing anything because they are.

II. Announcements and Community Calendar

Mr. Griffin wanted to remind everyone that the Governor will be here on Wednesday at 11 to cut the ribbon for the new Infrastructure Project at the beach. Then between 2 and 5 the economic summit that is being hosted by the Hampton Beach Commission will take place with many guest speakers.

Mr. Bateman would like to suggest that everyone contact their representatives to tell them that they do not want to be a part of a "Donor Town" because if we do become a member it will cost approximately \$1.4M. This is senate bill 465. Mr. Znoj agrees with Mr. Bateman on this and time is of the essences so people need to take action and contact the representatives immediately.

Mr. Lally announced that there is a fundraiser being held at Hampton Ford on May 8th to raise money for the Chem Free Graduation party. The 2010 census takers will be going door to door in Hampton. These individuals will have ID tags. It is very important that residents return their census because it will help the Town especially when it comes to grants.

Chairman Nichols added that the Census Takers will only be going to homes of individuals who have not returned their census.

III. Appointments

1. Helena Barthell – DES Application to remove sand at 33 Dover Avenue

Ms. Barthell explained that she is quite overwhelmed by this whole process. Since this is leased land she is not sure if she needs the Boards support or if they need to actually sign the wetlands permit as the land owner. She explained that they have removed some of the sand away from the door and parking area but needs to know if the sand can be removed and put back on the beach. She also spoke about damage to a fence and she is not sure if this is something she is to repair or something that will be done by the Town.

Discussion

Chairman Nichols believes that she needs a motion from the Board approving the work provided the issuing of the permit by State DES. Mr. Welch stated that if the Board really wants to be safe they can give him permission to sign the application if it is required by the State.

Mr. Welch is not sure who the fence belongs to. Ms. Barthell stated that the fence was there when she bought the property 4 years ago so she does not know either. Chairman Nichols

believes that it would be the responsibility of the leased land holder but the language of the lease will be looked at by Atty. Gearreald.

Chairman Nichols MOTIONED to authorize Helena Barthell to move the sand away from property at 33 Dover Avenue with the provision that she has the appropriate permits from DES and further if required authorize the manager to send a letter to DES confirming this authorization. Mr. Griffin SECONDED.

VOTE: 5-0-0

There was an additional discussion on how the sand will be removed and where it will be moved too. Chairman Nichols stated that this will be up to the State.

2. John McKeon – Surf Hotel’s Leased Parking Spaces.

Mr. McKeon and his daughter are here to talk about the 12 parking spaces that they lease in the Island Path Lot. Do to the fire they do not need the spaces for this season. However since they intend to rebuild they are asking the Board for a waiver to have the parking spaces again.

Discussion

Chairman Nichols clarified that they will not be in need of the spaces for the 2010 season but they would like them to be available to them in a subsequent year when they are ready.

Mr. Griffin spoke about how he talked to Mr. Grandmason recently and there has never been a really clear policy on how the parking leases are handled.

Mr. Bateman, Mr. Znoj and Mr. Lally all agreed that they do not have a problem with holding these spaces until they rebuild. Mr. Bateman believes that it is the obligation of the Board to help in any way that they can.

There was a consensus amongst the Board that they would hold the 12 spaces in the Island Path Lot for the Surf Hotel until they rebuild.

IV. Minutes of April 19, 2010 and April 26, 2010

Minutes of April 19, 2010

Page 2: Third paragraph, second line; replace the word “rate” with “expense”.

Page 4: First paragraph, last line; replace the word “housed” with “paid”.

Page 4: Fifth paragraph, last line; add the following “, which may not be approved.”

Page 7: Sixth paragraph, single line; add the following “, and to leave the trash barrels.”

Page 8: First paragraph, fourth line; replace the word “arised” with “arose”.

Mr. Bateman MOTIONED to approve the minutes of April 19, 2010 as amended. Mr. Lally SECONDED.

VOTE: 5-0-0

Minutes of April 26, 2010

Page 8: First paragraph, eight line; replace the word “replicable” with “reputable”.

Chairman Nichols MOTIONED to approve the minutes of April 26, 2010 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

Non-Public Session Minutes of April 26, 2010

Mr. Griffin MOTIONED to approve the non-public session minutes of April 26, 2010. Mr. Bateman SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

We have received a listing from the Police Department of surplus materials that can be sold or auctioned. I would recommend that the cellular phones be donated to the Cell phones for Soldiers Program, the \$7.19 in cash be deposited in the general fund, if permitted by law and the eyeglasses be donated to the Lyons Club used eyeglass program. All remaining items to be sold to the highest bidder and the proceeds to be placed in the general fund.

Mr. Bateman MOTIONED to approve the Managers request in regards to the surplus materials from the Police Department as outlined above. Chairman Nichols SECONDED.

VOTE: 5-0-0

We also have a short list of surplus materials from the Department of Public Works that it is recommended be sold to the highest bidder and the proceeds be deposited in the general fund.

The Hampton School District has approved the use of the Marston School for the elections to be held on September 14th and November 2, 2010. Note that school is closed on November 2nd.

The perambulation for Exeter is about to be scheduled and should be held in the next couple of weeks.

The State Department of Transportation has notified us that the State Highway Block Grant will be adjusted down by \$10,000 due to a decrease in gas tax receipts.

There will be an Open Forum for the development of the Hazard Mitigation Plan update to be held May 11th from 1 to 3:00 PM in the Town Offices.

Bids have been awarded for the line and pavement markings to "Markings Inc.", as the low bidder in both categories.

Hopefully some of the Selectmen will be able to attend the ground breaking ceremony on Wednesday since none of the Department Heads or the Manager will be able to attend. The reason for this is that there will be a required Emergency Management drill for the Nuclear Power Plant. This is the scored drill and they have to be there.

Discussion

Mr. Znoj clarified that the amount represented in the revenue forecast by Mr. Schwotzer reflects the decrease of \$10,000 from the State Highway Block Grant.

Chairman Nichols thought that the Mitigation Plan update meeting was scheduled for this week not next. Mr. Welch will have to look into this.

Mr. Lally wonders if there will be an auction for all the surplus materials from Police or how is this going to be handled. Mr. Welch would suggest that instead of holding an auction and absorbing that expense, he would suggest an open bid process. He explained furtherer that it would be advertised in the newspaper and on the website and they would be sealed bids. Mr.

Lally spoke about how in the past there was always a large turnout for the auction. Mr. Lally thinks that when he read the inventory list there was a lot of good items.

Mr. Bateman added that if the timing is right like in the past a lot of the workers coming to the beach for the summer bid on many of the bicycles.

The members of the Board felt that an auction would be a good way to dispose of the surplus materials from both Public Works and Police. Mr. Welch will schedule the auction and the items at Public Works will be set aside so people can go down and look at the items. Mr. Welch went through some of the items that are available.

Mr. Znoj wonders where the items from the Police Department come from and it was explained that they are lost and found items.

VI. Old Business

1. Approval and formal vote of 2009 Sewer Abatements

Mr. Welch explained that there is \$81,000 worth of abatements. Chairman Nichols summed up that this has been discussed at length in the past. At the request of Mr. Schwotzer checks will not be issued if the abatement was for under \$5.

Mr. Griffin MOTIONED to approve the 2009 Sewer Abatements. Mr. Lally SECONDED.

VOTE: 5-0-0

Other Old Business

Mr. Griffin would like to mention that in regards to the census takers coming to your house they actually ask more questions according to someone he spoke with that is doing this in Town.

2010 Board of Selectmen Objectives

Chairman Nichols has put together a list of the 2010 Board of Selectmen's objectives as discussed last week. The list was sent out to the Board and Chairman Nichols would like any comments the other members might have.

The list is as follows:

1. Maintain a flat municipal tax rate of \$6.41 or its equivalent due to 2010 town wide revaluation.
2. Develop a Fire Department facilities upgrade plan that has as a priority to be a new facility within the Beach Village District. The plan must be less costly than the \$8M January 2010 plan. This will result in a warrant article being proposed to the voters no later than March 2011.
3. Develop and begin implantation of a plan addressing Hampton's 4 highest priorities related to the repetitive flooding problems. Every effort will be made to obtain financial assistance from the Federal Natural Hazard Mitigation Grants.
4. Develop a strategy and negotiate with the 6 unions in conjunction with the collective bargaining process. ~~collective bargaining agreements which have no cost increase in the short term and have a long term impact of reducing the Town's labor costs.~~

5. Continue to decrease the cost associated with pickup and disposal of trash. The goal for 2010 is total spending will be less than the \$1,382,185 budgeted for the combined line items of waste collection, tipping fees and hauling. This will be accomplished by:
 - Increasing the recycling portion to 30% of overall trash for 2010.
 - Addressing the issue of curbside pickup of recyclable material beginning July 1st 2010.
 - Continue long term planning associated with becoming part of Concord Recycling Cooperative.
 - Begin to investigate the issues associated with getting the trash expense out of the operating budget.

Mr. Griffin would rather see the warrant article for the fire station voted on before the March election. Chairman Nichols clarified that the objective stated no later than the March election. He questioned whether this is something that can be voted on at the November election. Mr. Welch explained that it is his understanding that we would need permission from the Secretary of State. Chairman Nichols would like clarification on this sooner than later.

Mr. Znoj would like to comment that he is going to be very sensitive on the Fire Department Facilities Upgrade Plan in total and he will be looking at this information very closely.

Mr. Lally stated that he agrees with the objectives as written up by Chairman Nichols with one exception. Last week he had three goals and one of them was to develop the strategy to negotiate with the six unions. He feels that the objective listed above in regards to collective bargaining agreements should stop at the comma. He would like to remove the part that states collective bargaining agreements which have no cost increase in the short term and have a long term impact of reducing the Town's labor costs. He thinks that if this is left in the objectives the Board has already drawn a line in the sand as far as the negotiation process and he does not think that is in the best interest of the Board or the unions. Mr. Znoj thinks that Mr. Lally has a good point and we don't want to go in with any preconceived notions. Mr. Griffin also agrees and thinks that this is a very important issue. Mr. Bateman thinks that removing those guidelines will provide cleaner air in the room. Mr. Lally stated this is what he means let's all go in fresh and forget about what has happened in the past and hopefully get some contracts passed.

Chairman Nichols MOTIONED to approve the objectives as amended. Mr. Lally SECONDED.

VOTE: 5-0-0

Additional Old Business

Mr. Griffin would like to know who is going to be following up with Mr. Richardson from DES and Chairman Nichols believes that Mr. Price will be doing this.

Mr. Lally would like to add one more thing about the drainage. Ms. Latimer came in earlier and Mr. Lally mentioned that he has been looking at drainage all over this Town including this property. He believes that when Mr. Price was in last week that this was one of the areas that was discussed to be looked at. Mr. Griffin agrees with Mr. Lally on this. Mr. Lally reiterated what Mr. Welch stated about making sure that you contact the water company to express your concerns about the water in this area. Mr. Lally thinks that the engineers have come in and things are underway. Chairman Nichols commented that it is important to have this study done

and then begin some work. There was an additional discussion about the amount of rainfall and the flooding.

Mr. Griffin brought up the tree at the Grist Mill and the danger of this tree. Mr. Welch stated that they are working on this and the tree will be removed.

VII. New Business

1. Approval and formal Vote and Approval of 2009 Veteran Credits – Mr. Welch stated that there are 14 veteran credits and the Board has gone over them in the past.

Mr. Bateman MOTIONED to approve the 2009 Veteran Credits for the following individuals: Drew, Danna L.; Preston, Judy A.; Brady, Keith; Morrissey, William; Basile, Anthony S.; Stellmach, James A.; Newcomb, Barry W. & Kathy E.; Krauklin, Peter & Jacqueline; Curtis, Jeffrey F.; Wall, Robert S. Wall Family Rev. Tr.; Maher, Raymond J. & Lee F.; Larson, Christopher B.; Saccardo, Francis J.; Sicard, Eleanor V. Mr. Griffin SECONDED.

VOTE: 5-0-0

2. Approval and formal vote of 2009 Elderly Exemptions - 13 of these

Mr. Bateman MOTIONED to approve the 2009 Elderly Exemptions for the following individuals: Brewitt, Ann Bradley; Sereda, Nanette L.; Wall Family Revoc Tr.; Marquis, Nancy & George; Price, Herbert J. & Lorraine M.; Petri, Richard S.; Brigandi, Alfred & Camille; Dudek, Edmund M & Gaudet, Jean M.; Batchelder, Sylvia D. & Roland; Kuchtay, Stephen & Norma; Roy, Wanda M.; Radford, Arlene J.; Freitas, John D. & Patricia A. Mr. Griffin SECONDED.

VOTE: 5-0-0

VIII. Consent Agenda

1. Hampton Cemetery Deed – John Galvin
2. Hampton Cemetery Deed – John R. Walker
3. Hampton Cemetery Deed – M. Jane McCarthy
4. License Coin Operated Amusement Devices – “Sea Ketch” 127 Ocean Blvd
5. Hawkers & Peddlers License – 125 Ocean Blvd
6. Out Door Seating “401 Tavern” 401 Lafayette Road

Mr. Griffin MOTIONED to move the consent agenda as presented. Chairman Nichols SECONDED.

VOTE: 5-0-0

Discussion

Mr. Znoj questioned if there is room for the outside seating at the 401 Tavern. Mr. Bateman stated that they do have room in the back.

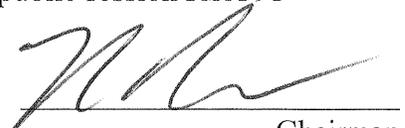
IX. Closing Comments – None

X. Adjournment

Chairman Nichols MOTIONED to adjourn the public meeting and convene a non-meeting with Legal Counsel under RSA 91-A:2., I., (b). Mr. Griffin SECONDED.

VOTE: 5-0-0

By roll call vote the Board voted unanimously to enter into a Nonpublic session RSA 91-A:3.,II.,(a)



Chairman

Non-meeting with Legal Counsel - RSA 91-A:2., I., (b)
Nonpublic session - RSA 91-A:3., II., (a), (b), (c), (d), (e)

Roll call vote required