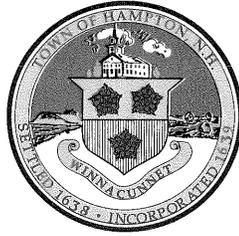


Town of Hampton



TOWN OF HAMPTON
BOARD OF SELECTMEN
May 17, 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 - None
- II. Announcements and Community Calender

Mr. Lally asked for a moment to recognize Jim Kennedy who passed away a few days ago. He was a long time resident of Hampton and did a lot for the community. Mr. Lally would like to send condolences to his family.

Mr. Griffin would also like to talk about Jimmy Kennedy. He was a beacon of strength to any good cause. He was a best example of a really good Hampton resident. He took the time to educate himself on all issues and took a stand. He will be missed by his family and many friends. Mr. Griffin mentioned the work that Mr. Kennedy did to help save the mounted patrol. Mr. Lally added that in lieu of flowers donations can be made to the Hampton Beach Mounted Patrol.

Mr. Bateman will continue and commented that their families have known each other for a couple of generations. He had an infectious smile which is a good thing and his passing for anyone is too soon but for him we have all lost something.

Mr. Bateman would like to provide information to anyone traveling on 1A tomorrow. NHDOT will be removing the cement barriers on Tuesday at which time the travel pattern will change. After May 18th the bridge will be back to two way traffic with daily lane closures. There will be several delays during the concrete barrier removal on Tuesday between 8 am and 8 pm. Motorists are encouraged to seek alternate routes on Tuesday.

Chairman Nichols commented that he has only lived in Town for 10 years and only knew Jimmy Kennedy for 5 or 6 years and he was one of the nicest people you will ever meet.

III. Appointments

1. 11 G Street – Termination of “Horan” Lease and New Lease to “Sifferlen”

Mrs. Sifferlen explained to the Board that she and her husband are looking to purchase 11 G Street. She has spoken to Mr. Tinker and she would like to purchase the land also. She has done her own appraisal of the land and is now waiting for the Town to appraise the land. She has signed the lease so that she can take over the lease from Ms. Horan.

Discussion

Atty. Gearreald explained how there was a need to have the land appraised by the buyer and the Town as Mrs. Sifferlen stated in order to purchase the land. In the meantime Mrs. Sifferlen is looking to lessee while this is being done and which is required before she can purchase. Atty. Gearreald explained that Mr. Tinker has prepared the termination of the old lease and the new lease which has been written per the 1996 Town Meeting vote for a period of 20 years. He would like to alert the Board to the fact that when he checked at some point last week there is still a small amount due for the land rent that was due April 1. Therefore he would recommend to the Board with respect to the two documents that they be signed and held here in escrow until the balance is paid on the land rent.

Mr. Griffin MOTIONED to approve the termination of the “Horan” Lease and the New Lease to “Sifferlen. Mr. Bateman SECONDED.

VOTE: 5-0-0

2. Vision Appraisal

Mr. Tinker introduced Paul MacKinnon the Project Manager and Steve Wayland the Commercial Appraiser.

Mr. MacKinnon would like to talk about the following tonight: the benefits of the revaluation, describe the valuation process and give a status report on the project. The benefits of a revaluation are to adjust value for market shifts, correct disproportionate taxation, capture all new construction and it is required by State Statutes that the revaluation be updated every 5 years. The valuation process includes: they have gone around and collected data of all sale properties from 4/1/08 – 3/31/10, review sale properties for accuracy, analysis of sale properties for arms length sales, valuation modeling and testing, field review of all properties and informal meetings (taxpayer input). For exterior inspection they look at: style, grade (quality), story height, roof structure, roof covering, wall construction, year built and condition. For interior inspection they look at: room count, bathroom count, wall finish, floor finish, heating, bath style, kitchen style and condition. The Sales Analysis is where they look at: real estate sales determine values, no preconceived estimates of value, in-depth study of real estate sales, determine land prices, determine building value and depreciation and develop appraisal models based on market. The land valuation model they take land units, unit price, condition factor, neighborhood adjustment, and site adjustment and total land value. The building valuation model looks at: square foot price, size adjustment, grade of construction, other building components, number of bedrooms, adjusted cost per square foot, then the adjusted cost per square foot x building square footage +/- other building features (bathrooms, fireplace, garages, etc) – depreciation adjustment (based on condition) = building value. After all the values are approved they will send the new valuations to all the properties in Town. Once this is done they will hold informal meeting process where anyone who feels they would like to discuss the

valuation can set up a meeting with Vision. Meetings will be held at the Town Office or another agreed upon location. During the meetings they will review the valuation if necessary, change notice will be sent as a result of the hearings and then abatement review if necessary. He went over the Standards for a Revaluation (AAO) and median ratios. Where they are right now data collection of sales complete, review sale properties complete, develop appraisal models field review complete by June 30th, informal meetings completed by July 30th and project completion September 15th.

Discussion

Mr. Znoj thinks it is pretty thorough and he likes the process. He would like him to explain an arm lengths sale. An arm lengths sale is you have to have a ready willing and able buyer and seller. If it's a short sale there usually is a third party that has to approve the sale such as a bank and these properties cannot be used in the analysis. It has to be a property that has been on the market for a reasonable amount of time to be used in their analysis.

Mr. Lally would like the presentation put on the website so residents could see how the valuation is done. There are also videos on the Vision Appraisal website to watch.

Chairman Nichols would like to comment on the letters that will go out with the valuation and then residents will have the opportunity to discuss the valuation if they feel it is necessary. In the past people did not know the revaluation of their property until they received their tax bill. Chairman Nichols asked if he could describe the difference in terms of the inspection of the properties between the 500 or so they are using as comps versus what they are doing for all of the 9300 properties. It was explained that the new sales they measured they did a total valuation by walking around measuring the property, looked at and measured all out buildings, went inside and did an interior inspection. The other parcels they will just be doing a review which is a drive by. This work is being done by two different types of people. The measurer and listing is done by a Data Collector whom concentrates on the accuracy of the data. The review appraisal is done by an appraiser who literally focuses on the value and they are more trained to look at the value and compared to the sales in the area. Chairman Nichols commented that the drive by valuation has not been done across the Board in 20 years. Chairman Nichols wonders for consistency purposes will only one team be doing the drive by review and if multiple teams are doing this what will be done to assure consistency. One team will do one whole area. Chairman Nichols questioned building valuations for example average quality construction and whatever number they come up with where this number is generated. They will come up with a set of guidelines and at the end of this project a manual will be given to the Town explaining all this. They use the sales to generate the different grades of property. Guidelines are set up before they go out in the field.

Mr. Griffin asked if they request income information from the property owners. It was explained that an income/expense questionnaire was sent out to all commercial properties the reason being to collect data on rental properties. They are only looking for the rental income nothing else.

Mr. Znoj wonders if the value from sales in the neighborhood is a big factor here. This is why gathering the sales information is important and must be as accurate as it can be. This is also why adjustments are made to sales to make sure that they are fair.

3. Edward Tinker, Assessor – Approval and formal Vote and Approval of 2009 Abatements and Exemption Denials

Mr. Tinker provided the Board with a large list of abatements. The Board agreed that they have all looked the list over and did not have any questions for Mr. Tinker on the list. The bottom line on this list of abatements is about \$6,000 on a total of 22 properties. The year to date total for abatements is about \$12,000. Chairman Nichols commented that this is a relatively small amount compared to the reserve of about \$236,000. Mr. Znoj questioned if there were anymore abatements coming and Mr. Tinker believes that he has about 22 more both residential and commercial.

Mr. Lally MOTIONED to approve the 2009 Abatements for the following: 2009-32, Map 287-20-B, 187 Ocean Blvd; 2009-34-1, Map 275-17, 373A Ocean Blvd; 2009-34, Map 275-8, 375 Ocean Blvd; 2009-36, Map 190-13, 35 Park Ave; 2009-37, Map 275-48-21, 359 Ocean Blvd, Unit #21; 2009-38, Map 282-68, 61 Island Path; 2009-39, Map 146-23, 60 Mace Rd; 2009-40, Map 275-43, 365 Ocean Blvd; 2009-41, Map 275-42, 367 Ocean Blvd; 2009-42, Map 275-41, 2 Cole St; 2009-43, Map 265-64-2, 19 Fuller Acres Unit #2; 2009-44, Map 265-46-2, 17 Cole St Unit #2; 2009-45, Map 222-30-24, 454 Winnacunnet Rd Unit #24; 2009-47, Map 205-4, 235 Winnacunnet Rd; 2009-48, Map 205-4, High St.; 2009-31, Map 267-48, 50 Dumas Ave; 2009-33, Map 267-43, 30 Cliff Ave; 2009-35, Map 275-25, 373 Ocean Blvd; 2009-49, Map 144-27, 23 Mason St; 2009-50, Map 220-42-5, 32 Playhouse Cr; 2009-51, Map 13-3, 15 Ashbrook Dr; 2009-52, 296-97-1, 19 Concord Ave. And Deny the Exemption for the following; Chabot, Marion L. Revoc. Tr; Stone, Lawrence W.; Hall, Christine; Powers, John. Mr. Znoj SECONDED

VOTE: 5-0-0

IV. Town Manager's Report

Household Hazardous Waste Day is this coming Saturday, May 22, 2010 from 9 AM to 12 Noon at the Old Town Hall Parking Lot, Winnacunnet Road. A Driver's License is required as proof of residency. Limit per car is 10 gallons or 10 pounds. A list of materials that can be accepted is posted at the Town Hall as well as a list of items that will not be accepted and items that will be charged for.

The State Department of Transportation has scheduled a presentation for June 17, 2010 at 6:30 PM on the Taylor River Dam to be held in the Selectmen's Meeting Room. The State is expected to announce its decision on the actions to be taken on the dam, whether it will be removed or re-built.

The Memorial Day Parade and activities sponsored by the American Legion Post 35 will take place as follows: 8 AM services at the Marine Memorial at Hampton Beach; 9 AM Hampton Falls at Weare's Common; 10 AM North Hampton Parade; 11 AM Hampton Parade. From 12 noon to 2 PM, Post 35 will be selling hot dogs and sodas with all proceeds going to the GWOT Fund.

The Old Stage Road Bridge Committee will be holding a cookout with live musical entertainment and a showing of the video "The Bridge" documenting the construction project on the Old Stage Road Walking Bridge on Saturday June 5, in case of rain June 6th, from 1 to 4 PM.

The Town has received letter from Aquarion Water Company regarding the water problems on their property and their coming actions to help relieve their abutting neighbor's issues with this standing water. They are going to have their personnel go out and try and clear any drains on their property.

The Small Business Administration has announced that they will be holding an open recovery session in Hampton on Saturday, May 22nd and Monday May 24th from 8AM to 5PM only, in the second floor conference room at the Beach Fire Station. The session is being held to assist businesses who were impacted by the severe storms and flooding that occurred from February 26th through March 14, 2010.

At 10 am on Tuesday morning if any Board members would like to be present there is going to be an inspection of the Grist Mill. They are going to have experts in to take a look at the mill and its condition and what needs to be done to bring it back into good standing if that needs to happen. A report will be produced and forwarded to the Town.

Today the Town received a document from the Department of Homeland Security and Emergency Management with the State requesting that we meet with them on May 24th at 1:30 at the Brentwood Fire Station to go over reimbursement to the Town for the major disaster declaration from March 14th through the 31st. The Emergency Management Personnel along with the Public Works Director have been notified of this meeting.

Mr. Welch would ask that the Board appoint Chief Sullivan as Acting Town Manager for May 27, 28, 29, 30 and 31 since he will be out of Town.

Mr. Griffin MOTIONED to appoint Chief Sullivan as Acting Town Manager for May 27, 28, 29, 30 and 31. Mr. Lally SECONDED.

VOTE: 5-0-0

Discussion

Chairman Nichols clarified that the storms in March had been approved by the President to qualify for Federal Aid. Mr. Welch stated that it was declared by the President on May 12th. There was a discussion if this would be true for residents and Mr. Welch does not believe this to be true at this time.

Mr. Znoj wonders how much the Town is looking to be reimbursed. Chairman Nichols does not believe that we have a number yet. However the number he was given from Chief Sullivan for the February 25th storm to be around \$96,000. It was also discussed that this money would go into revenue and would probably come in before the end of the year. Chairman Nichols also explained that this money has already been spent and is simply being reimbursed to the Town.

V. Old Business

1. Board of Health – James Street Petition

Chairman Nichols commented that Kevin Schultz was not able to attend the meeting tonight because of family commitments. He did provide the Board with a memo containing his thoughts which Chairman Nichols read. To summarize he would not have a problem to allow this family reunion to take place but would suggest that the family rent some portable toilets.

Discussion

Mr. Griffin MOTIONED to approve the allowance of the Memorial Day Family Event at 9 James Street- Mr. David Griffin to occur. Mr. Znoj SECONDED.

VOTE: 5-0-0

Other Old Business

Chairman Nichols brought up the request from last week in regards to the road acceptance for Sherburne Drive. Last week Mr. Welch brought up many issues with this and Chairman Nichols wonders if he has an update for the Board. Atty. Gearreald explained that he and Mr. Welch are planning to meet with the Planner Jamie Steffen and the Chairman of the Planning Board. They have not had a chance to meet yet. What is involved here is basically a policy issue that is going to be appearing in a number of other situations like this. Namely what is the Town willing to do in terms of accepting or not a backup role in maintenance for easements? If we are going to do this we need to know the steps necessary to implement this. How the Town will ensure that the maintenance is done and if the Town is responsible how the Town will cover the cost. This discussion needs to occur between this Board and the Planning Board. Chairman Nichols would like to know when the meeting is going to be held and notify the other Board members so that they may attend if they wish. Chairman Nichols thinks that the builder should be notified that the request has been received since this is the second request.

Chairman Nichols explained that last week they discussed a policy document that was put together by Mr. Welch in regards to drainage. Since last week the document has been provided to the Board by Mr. Welch. The Board will review this document in another week or so.

Mr. Griffin would like to ask about the mosquito control and if the spray can harm other animals such as dragon fly's or bats. Mr. Welch does not believe it could hurt a bat but he does not know about dragon flies.

Mr. Griffin would like to bring up the 375th anniversary again and decide which way they want to go with this. Is this something that the Board wants to turn over to another committee such as the Tuck Museum or the Heritage Committee?

VI. New Business

1. Conservation Commission – Town Acceptance of 4 Marshland Parcels

Atty. Gearreald provided the Board a document which is RSA 36A:4 since we do not see these frequently. This RSA is the Conservation Commission chapter. The Conservation Commission is empowered to accept gifts of real and personal property. However whenever they are going to do this is it has to be voted on by the governing body this Board and that is why the commissioners are here tonight.

Mr. Page and Mr. Diener were both present to give the Board some information on these parcels. Mr. Page explained that these are lots that are going to be given to the Town and they are not buildable lots. There are some additional entities that would like to give some other marshland lots over to the Town. Mr. Page would like to know if the Board likes this format since there is going to be more of these.

Discussion

Mr. Bateman likes the format and thanks the individuals who are giving this land to the Town.

Mr. Griffin questioned if taxes have been paid on these properties and Mr. Diener confirmed that there is but in the amount of about \$14.

Chairman Nichols wonders if the process assures that the Town does not assume any liability of any sort when accepting properties of this sort. Atty. Gearreald explained that it is similar to when the Tax Collector asks the Board to tax deed a property. He also mentioned that it is important to know that the property is not contaminated since once it is given to the Town they

would now be the owner and responsible. However that is not the case in these 4 parcels since they have been tested and inspected by the commission. Chairman Nichols summed up that these properties are fine but in the future properties could come forward that might be in the grey area and need to be looked at a little more closely.

Mr. Page stated that these lots are all empty except for a few sign on one lot.

Mr. Znoj wonders if the lots were ever used and Mr. Page does not believe that they were except maybe for haying.

Mr. Bateman MOTIONED to approve the acceptance of 4 Marshland Parcels. Mr. Lally SECONDED.

VOTE: 5-0-0

Mr. Znoj pointed out the size of each of the lots.

VII. Consent Agenda

1. Appointment of Peter F. Baker to the Leased Land Real Estate Commission
2. Entertainment Activities License “Millies Tavern” – 17 L Street
3. Entertainment Activities License “401 Tavern” – 401 Lafayette Road
4. Entertainment Activities License “Board Inn & Café” – 139 Ocean Blvd
5. Entertainment Activities License “Ashworth Hotel” – 295 Ocean Blvd

Discussion

Chairman Nichols questioned the Entertainment Activities License and how a few of them did not have the certification section completed. Mr. Welch does not know why this was not done but will check in the morning. Chairman Nichols also pointed out that on prior Entertainment Activities License the Board received additional information/application. Mr. Welch stated that this was discussed today by the staff and he was asked to check with the Board to see how they wanted to receive this information since it is lengthy. Mr. Welch asked if they would like it in a PDF file sent to their home or do they want copies in their box.

Mr. Lally shared with the Board that he has been receiving some feedback from the people who have gone through this new process and believes that this may need to be changed a little in the future as was done with the Amusement License last year.

Chairman Nichols does not have a problem with needing to make some changes to the ordinance in the future however he does have a problem approving these Entertainment Activity Licenses tonight since the paperwork is not complete. Mr. Welch would recommend that the Board vote on them and place a condition on the motion that the paperwork must be completed first.

Chairman Nichols shared some of the information that was omitted. Mr. Lally did pointed out that the criminal background check is attached so it does answer the questions in a different fashion. Chairman Nichols would just suggest that if the Board does make the motion with the condition that they be notified and provided the completed paperwork once it is available.

Mr. Bateman MOTIONED to move the consent agenda with the condition that the Entertainment Activities License paperwork be completed and the Board updated once this is done. Mr. Griffin SECONDED.

VOTE: 5-0-0

VIII. Closing Comments

Mr. Bateman read a memo from Pat Remick in regards to House Bills to do with "Donor Town's". This is time to contact your Representatives and Senators.

Mr. Welch has the first half tax warrant for the Board totaling \$24,535,655.

Chairman Nichols clarified that this amount is one half the November 2009 bill. Mr. Welch confirmed this to be true minus elderly exemptions and things of that nature.

Mr. Bateman MOTIONED to approve the first half Tax Warrant totaling \$24,535,655. Mr. Lally SECONDED.

VOTE: 5-0-0

IX. Adjournment

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

And;

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

VOTE: 5-0-0



Chairman



May 17, 2010

To: Board of Selectmen

Re: 2010 "First Half" Real Estate Property Tax Warrant

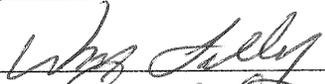
Board Members,

Please find attached the 2009 "First Half" Tax Warrant in the amount of \$24,535,655.00, for your review and signature this evening.

Respectfully submitted,

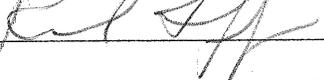
Edward Tinker, Assessor











BOARD OF SELECTMEN, HAMPTON, NH

Tax Warrant
Town of Hampton
2010 tax warrant

Tax Year	Period	Property	Gross Value	Exemption	Tax Value	Gross Tax	Credits Allowed Taken	Net Tax	Prior Bill	Tax Due
2010	1									
Account										

Warrant Totals

Properties Printed	9,309									
			Gross Value					\$3,065,767,000.00		
			LESS Exemptions					\$30,228,900.00		
			Tax Value					\$3,035,538,100.00		
			Gross Tax					\$24,794,422.00		
			LESS Credits					\$258,768.00		259,268.00
			Net Tax					\$24,535,654.00		
			LESS Prior Bill					\$0.00		
			PLUS Refunds Due					\$0.00		
			Tax Due					\$24,535,655.00		

	Date
Land	\$1,332,472,200.00
Building	\$1,733,140,400.00
Current Use	\$154,400.00
	\$0.00

Inventory Penalties \$0.00
All Prior Payments (\$32,558.01) Prepaid: (\$32,558.01)

Total Amount to Collect \$24,503,096.99

Tax Collector