

Town of Hampton



TOWN OF HAMPTON
BOARD OF SELECTMEN
October 25, 2010 Minutes

PRESENT: Richard Nichols, Chairman
Richard Bateman, Vice Chairman
Richard Griffin
William Lally
Gerald Znoj, Selectmen
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

I. Public Hearing – Designation of Fire Lanes at “Meadow Pond Road and Green Street”

Chairman Nichols explained that this should not have been posted since a few weeks back the Board had decided to investigate this further and broaden the scope of the area. However since people are present in the audience he feels that they should have a chance to comment now.

Public Comment

Armen Kludjian, 174 Kings Highway, many of the residents in this area have discussed solutions to the problem. One suggestion that they have is to have resident only parking in some of these areas.

June Black, 23 Meadow Pond Road, she appreciates the Board taking on this project. She shared some concerns that occurred over the past summer.

Tim Healy, 1 Meadow Pond Road, he is not sure designating a Fire Lane is the best solution. He shared some information on how the parking and the bottle neck problem on Green Street and 18th Street.

Lee Houghton, 22 Meadow Pond Road, spoke how the residents are not the problem since they work together as neighbors the problem is the people parking in this area and walking to the beach. She also included how many times they have not even been able to have deliveries since trucks cannot even turn down the road.

Arthur Moody wonders what the statutory authority is for this. Atty. Gearreald commented that the Police Chief or Board could declare a Fire Lane under the zoning ordinance. Mr. Moody does not feel that the Board has the authority to designate Fire Lanes that it is something that should be brought up by a citizen.

Mr. Welch referred Mr. Moody to RSA 41:11. There was an additional discussion on whether this is something that the Board can do. Chairman Nichols added that it is the Board's intention tonight to just get input from the public.

Chairman Nichols added that Mr. Lally is going to be heading a committee to study the parking in this area and some decisions will be made before Memorial Day.

II. Continuation of Public Hearing – Acceptance of “Sherburne Place” as a Class V Public Highway under RSA 674:40-a

Chairman Nichols asked if Atty. Ells would like to give the Board an update.

Atty. Ells and Michael Green were both present and provided the Board with an update on this road. Here tonight to let the Board know that the road has been completed and reviewed by the engineer and Public Works. They would like to ask the Board to accept this road as a Class V Public Highway tonight.

Public Comment

Mr. Moody asked about the name of the street and the brick wall that reads Sherburne Place. The street is Sherburne Drive and the brick wall/sign is not on a public way. It was clarified that there are two streetlights on the road.

Kate Landry, 8 Sherburne Drive, here to ask the Board to accept this road so that the residents will be able to have trash pickup and plowing that they pay for.

Craig Weich, 12 Sherburne Drive, would also like to ask the Board for their support in this matter.

Frank Lehmann, 9 Sherburne Drive, does not want to sound like a parrot but would like to see this road accepted.

Discussion

Mr. Welch would recommend that the Board accept this street subject to the Boards receipt of utility letter of agreement, an escrow agreement from Unitil and the utilities involved. This will clear up a matter that is being urgently worked on.

Atty. Gearreald explained that some issues came before the Board in June and they have been worked out between himself and Atty. Ells. A second item is the escrow agreement that Mr. Welch brought up. Mr. Welch explained this item in further detail for the Board including some possible drainage problems that may occur.

Mr. Green has agreed to put money in escrow to provide the funds to correct this problem. Mr. Green has signed the escrow agreement.

Mr. Znoj asked questions about some problems that existed and they have all been addressed.

Mr. Griffin clarified that these properties should not have flooding problems that the Town would be responsible for.

Mr. Bateman expressed that this is one of the drainage areas that needs to be free flowing to avoid many other problems.

Mr. Lally MOTIONED to accept "Sherburne Place" as a Class V Public Highway under RSA 674:40-a subject to the receipt and recording of utility letter of agreement and to authorize the Boards Chairman to sign the utility letter of agreement and escrow agreement regarding road work to be done by the Town utilizing developer funds. Mr. Bateman SECONDED.

VOTE: 5-0-0

I. Public Comment Period

Art Gopalan, 20 Windmill Lane, commented on Chief Silver being on the agenda tonight and would like to have more information on response time since it is being used as prime criteria for the need of the new stations.

Chairman Nichols would recommend that he contact the Chief since he does have this information available. However, Chief Silver is not going to be present tonight. Mr. Gopalan would like further details on the difference between response times at the beach as opposed to response times to get to the western side of Town. He expressed that since response time is being used as a critical issue for the building of the new stations he feels further information should be provided to the public. Mr. Griffin just wants to add that the response time in Hampton is very good.

Arthur Moody shared information on how Barbour Road in the past was referred to as black swamp road. He also brought up some items from the Hampton Union including the Grist Mill Committee, Drakeside Road Railroad Bridge embankments and lastly how much money will be saved by having one sticker for entrance into the Transfer Station and Resident Parking. He is not in favor of having these stickers combined and shared.

Mr. Welch shared that there is a cross check since the plate number is written on the sticker when it is issued at the Town Clerks Office. There was an additional discussion on trash being dumped illegally at the Transfer Station.

II. Announcements and Community Calendar – None

III. Appointments

1. Chief Silver – Departmental Update – Continued to November 01, 2010 – postponed to next week.
2. Craig Weich a resident of 12 Sherburne Drive – Town Services and Public Safety Issues.

Mr. Weich would like to discuss two items tonight and they are both public safety issues in Town. Both issues are in the Conservation area and one has to do with firearms and the other with motorized vehicle use. He discussed the issues in detail and is asking for a resolution to these issues since they are allowed in this area.

Discussion

Chairman Nichols clarified through Mr. Welch that there is not any State Legislation about discharging a weapon near a conservation area. It was pointed out that there are laws about the distance you must be from a house.

There was an additional discussion amongst the Board about these issues being problems in other areas as well as this area.

Mr. Lally gave some suggestions on possible signage in this area.

Mr. Griffin commented that this is a problem in many areas of Town and he does not feel that the Board should get too involved with this because of the NRA.

Mr. Znoj expressed concern about individual's safety.

Mr. Bateman added that this is something that has been going on for generations and many of these individuals are on their own property. He shared additional history with the members present. This is a difficult situation on rights.

Mr. Weich feels that there might be some laws that could cover this problem. He would like to see some space put between the walking trails and where weapons can be discharged.

Mrs. Goethel gave some history about the purchasing of the Conservation Land on Whites Lane and how hunting is allowed on this property during hunting season and with a valid license. She provided additional information about what is allowed, not allowed and signage that does exist in this area. There are no motorized vehicles allowed on this land.

There was an additional discussion amongst the Board that the problem is not from hunters but from others. Mr. Welch will investigate the posting of signs on private property.

IV. Minutes of October 18, 2010

Mr. Bateman MOTIONED to approve the minutes of October 18, 2010 as submitted. Mr. Lally SECONDED.

VOTE: 4-0-1(Znoj)

V. Town Manager's Report

Residents should be aware that there will be an auditable demonstration of the Seabrook Station Siren System to be held on November 10, 2010 at 12:30 PM for a three to five minute period.

Please make note that Aquarion Water Company continues its hydrant-flushing program through the Town. If residents encounter problems, please call Aquarion at 926-3319.

The GIS System is available on line and may be accessed through the Town's website or directly at www.Caigisonline.net/HamptonNH

Residents who receive water bills should be aware that the Public Utilities Commission has approved and you will be seeing on your water bill what is known as a WICA Change. The charge is to fund improvements to the water system. If for any reason you have questions regarding this charge you should call Aquarion not the Town.

The Town has received a notice from the Blue Ocean Society regarding a new initiative on a pet waste program called SCOOP or Seacoast Canine Owners Outreach Program. This is an education-based program that is funded by outside sources. Does the Board wish to participate in this new program?

We have received a report that was verified that the old Town Hall has again been broken into, this time for the purposes of drug use. The building has been secured and posted. The

Building Inspector has checked the building and advises that it has reached the point that it is in need of removal. With the Boards permission, I will draft a warrant article giving the Board authority to remove the structure.

The structure taken by the Town for non-payment of taxes has been removed and the site cleaned.

The Firefighters Locals 2664 and 3017 will be holding their annual Chili Cook Off at Wally's Pub, 144 Ashworth Avenue on November 11 at 6 PM to raise funds for the Toy Bank.

The State has awarded a grant of \$4500.00 to the Fire Department for continuing maintenance of equipment previously awarded to the Department. The Board will be formally requested to accept these funds at your next meeting.

The Police Department will be conducting night firearm training this Tuesday, Wednesday and Friday between 3 and 9 pm. There will also be training this Saturday from 9 am to 5 pm.

Last but not least is an update on the wastewater treatment facility. He asked the Board for permission to continue to remove the sludge and dispose of it over in Rochester. Any necessary repairs need to be completed before next spring.

Discussion

The Board agreed to participate in the SCOOP program.

Mr. Znoj asked some questions about the WWTP and Mr. Welch answered. Chairman Nichols clarified that we are keeping up with current inflow but we are still behind. The Board agreed that an additional \$40,000 should be spent on removing sludge from the Plant.

Chairman Nichols asked for an update on the engineering study.

Mr. Lally asked about the Shell Station on the corner and there is a P&S. An update was also given on the lighting around the front of the Town Hall.

VI. Old Business

1. 2010 "Second Half" Real Estate Property Tax Warrant

Mr. Tinker provided the Board with some background, the warrant has been run, and the tax bills should be going out on November 1st.

Discussion

Chairman Nichols pointed out that since the tax rate has gone down the second half year bill should be a lower number than the 1st half.

Mr. Griffin MOTIONED to authorize and to sign 2010 "Second Half" Real Estate Property Tax Warrant. Mr. Znoj SECONDED.

VOTE: 5-0-0

Other Old Business

Mr. Griffin asked about the trashcan at Plaice Cove and there should be a trash can. It must have been taken and Mr. Welch will look into this.

There was an additional discussion on dog waste and the disposal of dog waste.

VII. New Business

1. Unutil Request under Town Ordinance Ch. 3 Art. 17 §25 D. to open King's Highway for placement of underground utilities

Mr. Welch updated the Board on what Unutil is doing and the problem they have encountered. Unutil is asking permission to put the gas line in the roadway to avoid removing trees.

Discussion

Mr. Znoj asked several questions about the path of the gas line which Mr. Welch answered.

Mr. Bateman shared some history and another point of few on this topic. He does not think that Unutil is a company that is very problematic and they are working with everyone. He also brought up the November 1st cut off for cutting into the road and how that can be extended if you just ask. Mr. Welch does not have a problem with Unutil opening the street and working with them.

Atty. Gearreald has provided the Board with pictures and information about this since he has been out and investigated the problem. He also shared information from these residents attorney.

Mr. Bateman MOTIONED to allow and authorize Unutil's request under Town Ordinance Ch. 3 Art. 17 §25 D. to open King's Highway for placement of underground utilities. Mr. Lally SECONDED.

VOTE: 5-0-0

Other New Business

Mr. Griffin wonders about the utility rates going down. Mr. Welch has not heard that the rates in NH are going down. Chairman Nichols also shared some information about the rates and how they work.

VIII. Closing Comments - None

IX. Adjournment

On motion made by Chairman Nichols and seconded by Mr. Znoj to enter into a Nonpublic session RSA 91- A:3.,II.,(a).

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

VOTE: 5-0-0

And;

Chairman Nichols MOTIONED to adjourn the public meeting. Mr. Bateman SECONDED.



Chairman