

Town of Hampton



TOWN OF HAMPTON
BOARD OF SELECTMEN
December 30, 2010 Minutes

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

Rescheduled Meeting of December 27, 2010

6:30 PM Nonpublic session - RSA 91-A:3., II., (a), (b), (c), (d), (e)

7:00 PM

SALUTE TO THE FLAG

I. Acceptance of Grant Funds under RSA 31:95-b.

Fire Department – State Homeland Security Grant acceptance for communications maintenance \$3154.00 – Chief Silver explained the grant funds in further detail including that it is for maintenance of radio equipment.

Mr. Znoj MOTIONED to approve the acceptance of Grant Funds under RSA 31:95-b. Mr. Bateman SECONDED.

VOTE: 5-0-0

II. Public Comment Period - None

III. Announcements and Community Calendar

Mr. Bateman wished everyone a Happy New Year.

IV. Appointments

1. Town Clerk Jane Marzinzik and Town Moderator Bob Casassa – March Elections

Mr. Casassa explained that they are here tonight to give input on the location of the March Elections. They wish to not have the March Elections at Marston. The main problem with this location is the lack of parking and the length of the ballot, which results in long waiting periods for the public to vote. He shared information about holding the election at Winnacunnet for the past two years and addressed some of the concerns people had with that

venue. He also talked about the benefits of having such a large space. This year Winnacunnet has asked that the election be held in the cafeteria and Mr. Casassa shared the reasons why this is necessary. He also gave some details about the cafeteria. Mr. Casassa explained that the time required to complete the March ballot is the main reason for the request to hold the election at Winnacunnet.

Discussion

Mr. Griffin asked if they had a preference to one area of Winnacunnet over another. Mr. Casassa would prefer to be in the gym since that is what they know but the school has asked them to explore another location. The reasons given are basketball season and demands on janitorial staff.

Chairman Nichols questioned whether they want the Board to pick one school over another or the gym over the cafeteria. Mr. Casassa stated by statute the Board is to pick the location so it would be Marston, Winnacunnet Gym or Winnacunnet Cafeteria.

Mr. Griffin thinks it might be a good idea to try the cafeteria since the gym two entrances seemed to pose a problem for some.

Mr. Lally reiterated the complaints they received about the confusion with entrance/exits.

Mr. Bateman MOTIONED to use the Winnacunnet Cafeteria for the March Town Election. Mr. Griffin SECONDED.

VOTE: 5-0-0

There was an additional discussion about the need for signage. The Deliberative is on February 5th and March 8th.

2. Thomas Quinlan, 19 Dumas Avenue – Seawall/Seawall Stair Construction/Repairs on Town Property

Mr. Quinlan explained damage that occurred during a November storm. He is here tonight to ask permission to go onto Town property to make repairs and explained the application process they have gone through including approval from the Conservation Commission. He went into some details about the repairs and materials that would be used.

Discussion

Atty. Gearreald pointed out that he does not believe that any portion of this work will be on Town Property. There was a discussion amongst the Board on this and it was decided that there is no reason not to have a motion just in case.

Mr. Griffin MOTIONED to approve 19 Dumas Avenue – Seawall/Seawall Stair Construction/Repairs on Town Property. Chairman Nichols SECONDED.

VOTE: 5-0-0

V. Minutes of December 13 & December 20

Minutes of December 13

Mr. Bateman MOTIONED to approve the minutes of December 13, 2010 as submitted. Mr. Lally SECONDED.

VOTE: 5-0-0

Minutes of December 20, 2011

Page 6: Insert the following in the last paragraph, at the end of the third sentence. “, and although Peterbilt was not the lowest bidder, it was only \$7,000 more than the lowest bid.”

Mr. Znoj MOTIONED to approve the minutes of December 20, 2010 as amended. Mr. Bateman SECONDED.

VOTE: 5-0-0

VI. Town Manager's Report

Please note that the Town Hall will be closed tomorrow December 31, 2010 for New Years.

The pickup of trash for Friday, December 31, 2010 will occur on Monday, January 3, 2011.

The State will be scheduling a meeting with the Town for the second week of January to put in place the requirements to remove the sewer moratorium.

The bid to replace the Mill Road sidewalk from Winnacunnet Road to High Street has been awarded to Hawkins Construction Company of New Ipswich, NH for the sum of \$37,850. Hawkins was the lowest bidder of 11 submissions.

The bid to replace one forty yard roll-off container will require Board approval. Three bids were received, one being over an hour late due to a late delivery by a private mail service. The late bid was not the low bidder. The low bidder was Atlantic Recycling Equipment LLC of Dover, NH at a price of \$6,300. I would request that the bid be awarded to Atlantic Recycling Equipment, LLC for \$6,300.

Chairman Nichols asked about the other bids, one was for \$6,800, and the other was \$7,100.

Chairman Nichols MOTIONED to award the Bid to Atlantic Recycling Equipment, LLC for \$6,300. Mr. Znoj SECONDED.

VOTE: 5-0-0

New Year's Eve fireworks will be at 8 PM on the Beach at B and C Streets.

The Town Clerk has received a petitioned warrant article to lower the leased land rate on property from 2% to 1%. Chairman Nichols verified that even though this is a petitioned article the tax impact will be stated on the warrant.

The Town has received from the Department of Environmental Services the necessary permit to erect the floodgate on Brown Avenue. This has already been put out to bid.

Discussion

Mr. Bateman asked about the pickup of Christmas Trees and the date is not known at this time.

Mr. Lally confirmed that Friday's trash will be picked up on Monday.

VII. Old Business

1. Warrant Articles

a. Wastewater Treatment Plant

Chairman Nichols explained that this is a bonded warrant article and the Board met with Mr. Welch and Mr. Price last week to discuss this in greater detail. Mr. Welch provided a summary for the public touching on the following: Church Street Pump Station plans, pumps in the WWTP that need to be automated, second sludge press, need for a 3400 square foot building for second press and a study to work on the problem with the hydrogen sulfide odor. The total cost for the above is estimated at \$1.385M. There was a discussion about the current SRF rate at 2.86% and the tax impact in the first year is roughly \$130,000 and will not go into effect until 2012. Mr. Welch would suggest that this be done on a 20-year bond. They also discussed funds from grants and bonds.

Discussion

Mr. Lally thinks that this is the single most important thing that we are looking at and the Board needs to get the word out there, on how important this upgrade is to the Town.

Mr. Znoj agrees that this is a must situation.

Mr. Griffin commented that this is a need not a want.

Chairman Nichols commented that the Board also received a draft of the warrant article discussed last week in regards to Winnacunnet Road highway discontinuance at 47 Winnacunnet Road. The Board voted 4 to 1 last week to go forward with this article.

There was an additional discussion amongst the Board on the need to have bullet points and very clearly written warrant articles.

b. Prioritization of Warrants

Chairman Nichols provided the Board with a spreadsheet showing the work he has done with the help of Mr. Schwotzer. He discussed how he looked out 3 years when doing his figuring. He went through each line item separately for the Board. He also discussed how the bonds do not hit the first year. He did not include funds from the Undesignated Fund Balance but this can be done if the Board decides to do so. He brought up bringing recycling in house and explained to the Board why he did not put a tax impact on this article.

Chairman Nichols brought up the \$1.8M in surplus and how he spread this out over the 3 years. The end result in terms of municipal tax rate is that in 2010, the municipal tax rate is \$6.41; in 2011, it would go to \$6.53, \$6.64 in 2012 and \$6.64 in 2013. The net of all this is basically a 3.6% increase. Chairman Nichols went on to warn the Board that although this does not look to be killing the taxpayers we have to beware that anything beyond this done in the way of warrant articles after 2011 will add to the tax rate. He provided the Board with some examples including the CIP report and an additional WWTP article in 2012. This is basically, where we are at and he just wanted to get it out there for discussion

Discussion

Mr. Znoj agrees with the WWTP needs and we really have to be careful and wise on how we are handling the money. He thinks that these are good facts. He also brought up needs of the schools that will be coming up.

Mr. Lally thanked him for doing all this work.

Chairman Nichols commented that one thing that can be done is to remove some of the warrant articles however; he would not have a suggestion as to which ones to pull. There was a discussion about the Fire Stations and the need to get a feeling from the voters on this.

Mr. Znoj would recommend that we take the Public Works Capital Reserve of \$340,000 and the \$300,000 in road improvements from the Undesignated Fund Balance. Chairman Nichols explained the impact of what Mr. Znoj suggested. This does drastically improve the probability of these items being voted in. Chairman Nichols asked Mr. Welch to make a note to change both the Public Works Capital Reserve to \$300,000 and to fund both the Public Works Capital Reserve and the Road Improvements from the Undesignated Fund Balance.

Mr. Znoj MOTIONED to recommend that we take the Public Works Capital Reserve of \$300,000 and the \$300,000 in Road Improvements from the Undesignated Fund Balance. Chairman Nichols SECONDED.

VOTE: 5-0-0

Atty. Gearreald spoke about the appropriate language to use in these two articles in regards to the fact that they do not have a tax impact.

Mr. Znoj commented on the other articles. Chairman Nichols also spoke on the drainage warrant article. He thinks it is also important to make sure the Public understands each of these articles and the whole picture of the impact of each article.

Mr. Bateman pointed out the goals set by the Board. Chairman Nichols also pointed out the tax rate remaining flat.

Mr. Griffin mentioned that things are being done by this Board although the Budget Committee tends to disagree at their meetings.

Atty. Gearreald reminded the Board of the need to schedule the bond hearing for three of the articles. He explained the timeframes for the notice and guidelines that must be followed. The notice will need to be put in the paper tomorrow for a public hearing on January 12th.

2. School Impact Fee Withdrawals

Atty. Gearreald has been investigating a number of issues on this for the Board and he provided the Board with the information he has collected. He went into details about the legislation on impact fees and the impact fee ordinance passed by the Town. After the ordinance passed the Town hired Bruce Mayberry to look at what are the type of needs that these impact fees can be collected for and included for the schools cost incurred for Capital Improvements in the past by way of bonds for new classrooms. This covers both items in the Winnacunnet Cooperative District and the Hampton School District. He has verified that the \$300,000 in impact fees collected has been spent by the Hampton School District and more than that amount has already been paid out by the school district on bonds. Atty. Gearreald would recommend that the Board direct the Finance Director to pay out to the Hampton School District \$301,169.23 in Impact Fees plus any accrued interest there on that has been collected to date pursuant to these Planning Board assessments.

Discussion

Chairman Nichols would only point out that the beneficiary of this \$301,000 is the Hampton Taxpayer since it will help to reduce taxes.

Mr. Znoj MOTIONED. In accordance with Section 5.1 of the Hampton Impact Fee Ordinance. I move that the Board of Selectmen direct the Finance Director to pay out to the Hampton School District the \$301,169.23 in impact fees, plus any accrued interest thereon, that has been collected to date for the Hampton School District per Planning Board assessments, as recoupment by the Hampton School District of the bond payments it has made for capital improvements in anticipation of the needs for which the impact fees were collected. Mr. Bateman SECONDED.

VOTE: 5-0-0

3. Beach Fire Station Memorandum of Understanding

Atty. Gearreald brought the Board up to date on the only issue left which is the reverter clause. He has been working with the Commissioners legal counsel and they have agreed to limit the reverter to 50 years. He has run the language by bond counsel and has their suggestions to bring back to the Precinct along with some language suggestions for the MOU. This language is important to retain the tax-exempt status of the bond. He has made some progress but thinks it will take until Monday night to get this in full form before the Board with Commissioners approval.

Discussion

Mr. Znoj clarified that on Monday the Board will receive a revised copy of this MOU.

Mr. Bateman asked how to explain the reverter clause to the average American. Atty. Gearreald explained it for the Board. There was an additional discussion on how the original land/station came about back in 1921. There was also a discussion about what happens if the Precinct is not around in 50 years.

4. Trash and Recycling Bid – Mr. Welch and Chairman Nichols still have some work to do on this.

Other Old Business

Chairman Nichols brought up tourist related expenses and a spreadsheet that the Board has been given. Chairman Nichols provided the Board with a summary of the spreadsheet that was put together by the Public Works Director, Police Chief, Fire Chief and Mr. Schwotzer. The reason to do this was to find out how much revenue the Town receives in the course of a year and what incremental expenses do we incur. The total revenue impact from tourist at Hampton Beach is estimated at roughly \$470,000. The incremental expense is estimated at \$2.254M. The tourist impact on Hampton is that it cost the Town \$1.784M. We received this year \$669,000 in Meals and Rooms Tax. The net of that is approximately \$1.1M in expenses to the Town. He reminded the Board that Nancy Stiles is working to tweak the formula used to calculate Meals and Rooms Tax to benefit the Town. There was a consensus amongst the Board to have this document forwarded to Nancy Stiles. There was an additional discussion about the ambulance calls at the beach and accidents. Mr. Lally thinks it might be worthwhile for Nancy Stiles to look into some of the other tourist areas in the State.

VIII. New Business

1. Award of Bid for Annual Audit yrs 2010 – 2013

Mr. Welch provided the Board with some information on the three bids the Town received. The recommendation is that the bid be awarded to Plodzick and Sanderson the low bidder at \$119,000. This amount drops to \$95,250 if we switch to a fiscal year.

Mr. Znoj MOTIONED to approve the Award of Bid for Annual Audit to Plodzick and Sanderson for the yrs 2010 – 2013. Mr. Lally SECONDED.

VOTE: 5-0-0

Mr. Znoj wonders if there needs to be a public hearing on the fiscal year change and it is not necessary according to Mr. Welch. Mr. Znoj thinks there needs to be more education for the voter.

IX. Consent Agenda

1. Authorization to withdraw from DPW Capital Reserve Funds
2. 2010 Abatements: 2010-06, Map 217-01; 2010-07, Map 998-257; 2010-08, Map 96-01-01; 2010-09, Map STA-LSL-Lupo; 2010-010, Map TWN-LSL-SURF; 2010-011, Map 138-1-36; 2010-012, Map 189-12-G3
3. New Veterans Exemptions: Arvidson, Russell J. & Susanne; Bishop, Thomas P. & Shelia; Crow, Raymond C. & Mary A.; Delaney, Kevin M. & Megan M.; Kiley, Robert G.; Landry, James A. & Katherine; Lyons, Frances; MacFarlane, Cynthia; Roy, Raymond A. & Sandra G.; Salmon, Robert L. & Jeanne D.; Smith, Thomas J. & Dorothy A.; Stone, Ken
4. Reviewed Veterans Exemptions: Boyle, Inez & Edward G.; Cameron, Angus J.; Cole, John T; Dignam, Gerald M.; Fanning, Stuart & Priscilla; Fitzgerald, Michael; Haddad, Alan H.; O'Keefe, Patricia & Joseph J.; Pestana, Norbert H.; Tilbury, Donald E.; Wilt, Pauline P. & Melvin
5. Disability Exemption: Ellenwood, Grace & Chester

Mr. Bateman MOTIONED to approve the Consent Agenda. Mr. Lally SECONDED.

VOTE: 5-0-0

X. Closing Comments

Mr. Znoj asked about some problems at the Transfer Station on Sunday with trash and recycling overflowing. Mr. Welch was not aware of any problems. However, Chairman Nichols was and explained to the Board that it was basically a result of the holiday on Friday and the anticipated storm on Monday. He went on to explain what was going on when he visited the Transfer Station later on Sunday and it seemed to be under control. Mr. Znoj expressed concern about recycling being mixed with trash. He wonders if there are lessons to be learned. Chairman Nichols thinks that if this does happen again they will be on top of things.

XI. Adjournment

Mr. Bateman MOTIONED to adjourn the public meeting. Mr. Lally SECONDED.

VOTE: 5-0-0



Chairman