

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN January 10, 2011 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

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

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Comment Period

Mike Pierce, 16 Hedman Ave.

Mr. Pierce discussed two items one thanked the Board for allowing him to recycle old computers from the Town to those in need in the community and second where are the warrant articles. He made some suggestions on the timeline of the Budget Committee receiving warrant articles. Mr. Welch stated the goal is to get the articles out by Tuesday evening. Chairman Nichols wonders if the Budget Committee can schedule to review warrant articles at a later meeting and by statute, they must do this by the 18th. Chairman Nichols asked Mr. Welch to forward the money articles as they become available to the Chairman of the Budget Committee. Mr. Bateman asked about how old computers can be to be donated and Mr. Pierce provided some guidelines for the Board.

I. Announcements and Community Calendar

Chairman Nichols mentioned that Wednesday at 7 pm they will be holding a public hearing on bonded warrant articles.

II. Appointments

1. Dyana Martin, Parks and Recreation Director
 - a. Holiday Light Spectacular Contest Awards

This year was their sixth annual contest. Mr. Bateman presented plaques to the following: 401 Tavern, Chouinard Family and Derek and Kelly Beaupre.

2. Michael Schwotzer, Finance Director

a. December Financials & Encumbrances

Mr. Schwotzer provided the Board with his December reports. The monthly financial reports will be posted on the website. He expressed to the Board the short timeframe he had to produce these figures and although he is confident in his work, he would ask to come back in a few weeks. He also apologized for getting this information to the Board so late. Highlights included: income at 2% over budget \$118,000, YE saving currently at \$1,113M, departmental budgets under budget, YE PO's and broke down PO's in December.

Discussion

Chairman Nichols commented on the YE savings and the revenue numbers used in setting the tax rate.

Mr. Schwotzer explained how the Board has the right to approve and allow him to carry forward money through encumbrances to be spent in the next year. He provided the Board with an encumbrance sheet and explained why he is asking to have 2009 PO's totaling \$171,000 carried forward.

Mr. Znoj commented that he does not like carrying money from 2009 into 2011. Chairman Nichols shared his input on one of the larger 2009 PO's for Vision Appraisal being carried forward.

Mr. Schwotzer went on to discuss 2010 encumbrances totaling \$527,000. Mr. Schwotzer is going to ask for a maximum amount to be encumbered since he needs to go back to the departments to find out which PO's need to be carried forward and he believes some may be able to be closed out. Mr. Znoj questioned the large amount and Mr. Schwotzer commented that there are a couple of large items included in this amount. The amount is actually lower than normal. Chairman Nichols commented one way to look at it is to look at the budget of \$24M, which calculates out to \$2M a month so this is only 25% of one month. Mr. Schwotzer added we are looking at an amount equal to one week's worth of bills.

Mr. Schwotzer summed up the sub total for 2010 is \$567,000 with a total amount to encumber being \$738,000. We also have the open PO for the Capital Reserve for the sewer truck and sludge hauling. He would ask the Board to make a motion to make the 2010 encumbrance at a maximum of \$971,094.89.

Chairman Nichols MOTIONED to approve the 2010 Encumbrances for a maximum of \$971,094.89. Mr. Lally SECONDED.

VOTE: 4-1(Znoj)-0

b. 2011 Investment Policy

Mr. Schwotzer provided the Board with a copy of the 2011 Investment Policy for the Treasurer. He explained that this is required by the DRA.

Discussion

Chairman Nichols confirmed that this applies essentially to Town funds used to pay bills and does not apply to others for example the Real Estate Trustees.

Mr. Lally MOTIONED to approve the 2011 Investment Policy. Mr. Znoj SECONDED.

VOTE: 5-0-0

III. Minutes of December 30, 2010

Mr. Lally MOTIONED to approve the minutes of December 30, 2010 as submitted. Mr. Bateman SECONDED.

VOTE: 5-0-0

Minutes of January 03, 2011

Page 1 and 2: Change the spelling of the name “Vialli” to “Viale”.

Page 2: Reword the first paragraph to reflect the additional information about the landowner.

Mr. Griffin verified that there would be public access. Mr. Viale explained what type of public uses are allowed, but since the land will continue to be privately owned, it is the property owner rather than the public, that can only use the land for agricultural and forestry under the conservation easement. Another prime benefit is the farmland. They also explained the easement in detail for the Board. Mr. Griffin is in complete support of this.

Mr. Znoj MOTIONED to approve the minutes of January 03, 2011 as amended. Mr. Lally SECONDED.

VOTE: 5-0-0

I. Town Manager’s Report

Our regional weather report indicates that we are scheduled for snow, possibly heavy, on Wednesday of this week. Please consult the Town Website for information on trash collection. If a snow emergency is declared, your trash for Wednesday will be picked on your next regularly scheduled collection day for your property.

The Town will hold its bond hearing on Wednesday, January 12, 2010 at 7 PM in the Selectmen’s Meeting Room.

The Annual Budget Hearing will be held by the Budget Committee on Tuesday, January 18, 2011 at 7 PM at the Hampton Academy.

May I suggest that the Board submit a warrant article to permit the Board to periodically set rates for the tipping of septage at the wastewater treatment plant after a public hearing. These rates should be reviewed on at least an annual basis to be sure that the taxpayers of Hampton are at least recovering their costs of treatment of septage wastes tipped at the sewer treatment plant.

I have handed out the holiday schedule for the transfer station for your information. This is the same general format as was used in 2010. The schedule is subject to change due to weather and emergency conditions. Any changes will be placed on the Town website or Channel 22 as soon as possible.

I have also handed out a copy of the Town Rubbish Collection schedule for your information.

The annual period for the tax exemption form to remove those property owners from the tourism portion of the Hampton Beach Village Precinct tax is due to be mailed again. Assuming Selectmen approve we will proceed as in past years to complete this task in the next few weeks. Forms are due back by April 1, 2011. Forms received after that date will not qualify for the exemption.

Discussion

Mr. Znoj clarified that if there is a snow emergency on a day when your trash is scheduled to be picked up it will not be picked up until your next scheduled trash day. Chairman Nichols asked for this information to be placed on Channel 22 as well as the Town website.

There was a discussion on the expense to the Town to mail out tax exemption forms to the residents of the Hampton Beach Village District. Chairman Nichols suggested possibly sharing the expense this year by having the Precinct pay for postage. Because this expense can be quantified, Mr. Bateman feels the Hampton Beach Village Precinct should pay for the whole cost of the mailing to the precinct households as it is a Precinct initiative, not a Town of Hampton initiative. The Board asked Mr. Welch to quantify the cost of this and bring it back to the Board for the meeting on the 24th.

Mr. Welch asked if the Board would like to have a warrant article drafted to give the Board permission to adjust the sludge tipping fees. Chairman Nichols provided some information to the Board including that the fees have not been adjusted in 10 years. There was a discussion about the current fees and the fees charged by others in the area. The warrant article would be asking the Town to give the Board the authority to set these rates. There was a consensus amongst the Board to have Mr. Welch draft this warrant article.

II. Old Business

1. Warrant Articles

a. Prioritization of Warrant Articles

Chairman Nichols asked for comments from the Board on any of the warrant articles.

Chairman Nichols commented on the Road Warrant Article and the fact that Tide Mill Road has been added since it was promised that this road would be done once the gates were open. Mr. Znoj clarified that the street will be listed in this article and Mr. Welch read all the roads included for the Board.

Mr. Znoj has some grammatical corrections on article that he will send to Mr. Welch to help make them more understandable. He asked about the article on the Cemetery Burial Trust Fund, which Mr. Welch explained to the Board, and the amount will not be known until Mike closes and the amount will be transferred from the General Fund to the Trust Fund. Mr. Znoj also commented on the Mounted Patrol article and he feels that it is not clear enough what the voters are approving.

c. Money Articles – Formal Vote (Voted on before the Fire Station MOU)

Chairman Nichols suggested they start with the Library Media Line, which is a petitioned article primarily by the Trustees for \$24,895.

Mrs. Cooper informed the Board that this has been discussed many times in many different arenas and some of the feedback they have received. She explained in detail for the Board the audit numbers including a breakdown of the accounts for the Library, and there are four checking accounts and investments that the Library draws monies from. She expressed how much this article means to the Library and the need for endorsement from this Board.

Chairman Nichols clarified that the \$222,518 audited number is an amount over and beyond the operating budget and something that the Trustees are choosing to hold in reserve. Library Trustee Marylou Heron explained that the only significant amount that they have in investment is approximately \$100,000. Chairman Nichols is not sure he is in favor of asking the taxpayers for more money when they have \$222,518 sitting in reserve, that is available.

Mrs. Cooper broke the \$222,518 in reserve down further for the Board and in the end, and there is really only \$100,000 or so that is not accounted for. The same Trustee went into further details on the investment money and the reasons why they hold on tight this reserve money.

Mr. Lally reiterated that the Library is different and he understands where this is coming from. Mr. Schwotzer shared some information about how the Library operates and the audit numbers, and he also explained how by the RSA, the Town must pay the library the total amount of the appropriation.

Mr. Lally MOTIONED to formally vote to recommend the Library Warrant Article. Mr. Bateman SECONDED.

VOTE: 4-0-1(Nichols)

b. Memorandum of Understanding – Fire Stations

Atty. Gearreald explained that he has the original signed version of the MOU by the Precinct Commissioners. Atty. Gearreald would recommend that the Board also sign this MOU. There is one exception and that is a line that was left out he believes inadvertently on the copy signed by the Commissioners he would suggest that this Board initial the corrected page 8.

There was a discussion about the warrant article voted on by the Precinct and the fact that there appears to be two warrant articles for fire stations. The first warrant article is sponsored by this Board and is for two fire stations; the Uptown station and the Beach substation, the second is a citizen petitioned article and is for just a Beach fire station and not a substation. Atty. Gearreald pointed out that the MOU refers only to a Beach fire station as referenced in the warrant article passed by the Precinct voters.

Discussion

Chairman Nichols thinks that the Board should go through, sign, and initial this MOU as presented.

Chairman Nichols MOTIONED to approve and sign the Memorandum of Understanding Fire Stations as presented by Atty. Gearreald with the additional line inverted on page 8. Mr. Griffin SECONDED.

VOTE: 4-0-1(Bateman)

Chairman Nichols stated that there would be two bonded warrant articles related to fire stations/station on the ballot. The MOU refers to a Beach fire substation and if only the citizen petitioned article passes by the voters, this could pose a problem since it is not for a substation. This is something he feels should be discussed and addressed at the Public Hearing on Wednesday.

Mr. Znoj does not understand the problem with the language of the MOU and the reference of substation, Atty. Gearreald explained it in further detail for him. There was a discussion about the amount of the petitioned warrant article and the location of headquarters.

Chairman Nichols stated that the first four money articles would be bonded and discussed on Wednesday night. The next money article is the Operating Budget and Chairman Nichols went through the changes that occurred between this Board and the Budget Committee. He also pointed out that the Default Budget is \$197,000 less.

Mr. Lally MOTIONED to formally vote to recommend the Operating Budget Warrant Article. Mr. Znoj SECONDED.

VOTE: 5-0-0

The next article is the Batchelder Property Conservation Easement Warrant Article for \$250,000.

Mr. Griffin MOTIONED to formally vote to recommend the Batchelder Property Conservation Easement Warrant Article. Mr. Bateman SECONDED.

VOTE: 5-0-0

The Police Forfeiture Fund for \$90,000 this does not have a tax impact.

Mr. Lally MOTIONED to formally vote to recommend the Police Forfeiture Fund Warrant Article. Mr. Griffin SECONDED.

VOTE: 5-0-0

The Hampton TV origination fund Cable TV fund for \$100,000.

Mr. Bateman MOTIONED to formally vote to recommend the Cable TV Fund Warrant Article. Mr. Lally SECONDED.

VOTE: 5-0-0

The Cemetery Burial Trust Fund for \$27,850, this amount could change once Mr. Schwotzer has the year-end numbers available.

Mr. Bateman MOTIONED to formally vote to recommend the Cemetery Burial Trust Fund Warrant Article. Mr. Znoj SECONDED.

VOTE: 5-0-0

Drainage Improvements Warrant Article totaling \$40,000, which the Board has discussed in the past.

Mr. Znoj MOTIONED to formally vote to recommend the Drainage Improvements Warrant Article. Mr. Griffin SECONDED.

VOTE: 5-0-0

The Recreation Infrastructure Improvements Warrant Article for \$65,000, which has no tax impact.

Mr. Bateman MOTIONED to formally vote to recommend the Recreation Infrastructure Improvement Warrant Article. Mr. Lally SECONDED.

VOTE: 5-0-0

The Road Improvement Warrant Article for \$300,000 funded from surplus.

Mr. Znoj MOTIONED to formally vote to recommend the Road Improvement Warrant Article. Mr. Bateman SECONDED.

VOTE: 5-0-0

The Warrant Article for the Public Works Capital Reserve, which has dropped to \$40,000, funded out of surplus no tax impact.

Mr. Griffin MOTIONED to formally vote to recommend the Public Works Capital Reserve Warrant Article.

VOTE: 5-0-0

The Mosquito Control Warrant Article down from last year to \$42,750.

Mr. Lally MOTIONED to formally vote to recommend the Mosquito Control Warrant Article. Mr. Griffin SECONDED.

VOTE: 5-0-0

The Mounted Patrol Warrant Article for \$45,780, which has been, discussed a number of times.

Mr. Lally MOTIONED to formally vote to recommend the Mounted Patrol Warrant Article. Mr. Bateman SECONDED.

VOTE: 3-2(Nichols, Znoj)-0

A petitioned Warrant Article for the Holiday Parade for \$3,000. Mr. Lally commented that he is going to try to get the reference to "Holiday" changed to "Christmas" at the Deliberative Session.

Mr. Lally MOTIONED to formally vote to recommend the Holiday Parade Warrant Article. Mr. Bateman SECONDED.

VOTE: 5-0-0

Chairman Nichols questioned the Warrant Article for Social Services being down and that is because of Lamprey Health deciding to have a petitioned article this year. The amount of this warrant article is \$173,951.

Mr. Griffin MOTIONED to formally vote to recommend the Social Services Warrant Article. Mr. Znoj SECONDED.

VOTE: 5-0-0

The Warrant Article for the 375th Anniversary Parade for \$20,000 and there was a discussion about having this changed to Anniversary Events at the Deliberative Session.

Mr. Lally MOTIONED to formally vote to recommend the 375th Anniversary Parade Warrant Article. Mr. Griffin SECONDED.

VOTE: 5-0-0

The last money article is the Teamster Collective Bargaining Agreement.

Mr. Znoj MOTIONED to formally vote to recommend the Teamster CBA Warrant Article.
Mr. Lally SECONDED.

VOTE: 5-0-0

III. New Business

1. Ratifications of Collective Bargaining Agreements – Not Discussed.

Other New Business

Chairman Nichols brought up emails that went around asking if we wanted GHD to participate in the meeting tomorrow with DES about the sewer moratorium. Mr. Welch thinks that everything is going well with the State and we do not need to incur additional cost to have engineers from GHD present at the meeting. The Board agreed that this is not necessary.

Chairman Nichols brought up a hearing in Concord on Tuesday about Senate Bill 1. Senate Bill 1 is in regards to the evergreen clause and Chairman Nichols has been asked to testify. He would like to do this with the support of the Board. Chairman Nichols commented on what he plans to state in his testimony including that he is in full support of eliminating the mandatory evergreen clause.

Mr. Bateman MOTIONED to have Chairman Nichols testifies on behalf of the Board of Selectmen in regards to Senate Bill 1. Mr. Znoj SECONDED.

VOTE: 5-0-0

Chairman Nichols also brought up Senate Bill 16, which essentially has to do with amending the content of warrant articles at the Deliberative Session. He read a quote for the Board on what the bill is trying to do “to retain the substance of the warrant”.

Mr. Lally MOTIONED to have Chairman Nichols represents the Board of Selectmen when speaking on Senate Bill 16. Mr. Znoj SECONDED.

VOTE: 5-0-0

IV. Consent Agenda – No Items

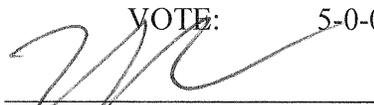
V. Closing Comments

Mr. Znoj expressed that he is not happy with the encumbrances that Mr. Schwotzer brought in tonight and that the Board voted to approve. He feels that more detail should have been brought to the Board. Chairman Nichols would suggest that when Mr. Schwotzer comes back on the 24th he discuss any of the encumbrances that Mr. Znoj request in further detail for the Board.

VI. Adjournment

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

VOTE: 5-0-0



Chairman