

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN March 07, 2011 Minutes

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

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Comment Period

Chairman Nichols reminded everyone of the parameters around the public comment period and how comments should be limited to 3 minutes. He also encouraged people to not use this time to make personal attacks on anyone and to try to refrain from repeating the same thing as the person before them. He asked the Board for feedback and it was decided that comments would be limited to 3 minutes.

William Sullivan, 12 Colonial Circle, would like to comment on the plowing of the sidewalks at the beach. Although he is in favor of plowing of the sidewalks at the beach, he does hope that the Board would take a hard look at Exeter Road and the terrible condition of the road.

Mary Louise Woolsey, 148 Little River Road, shared the copy of the code ethics she received for the Budget Committee from the Board. She expressed concern about the actions of Mr. Znoj over the past week and that it is not a smart thing to have a sitting Board member endorsing a candidate on the ballot. She suggested that they need a code of conduct amongst them. She shared some additional thoughts, would ask Mr. Znoj to step down, and provided the reasons why.

Brian Warburton, 24 Sanborn Road, he expressed concern that section F of the Selectmen code of ethics was violated by Mr. Znoj's actions. He also has concerns about asking all the other Boards in Town to adopt the code of ethics when this Board has a member that has been unethical and possibly done something illegal by going in and asking for someone's records. He thinks this Board needs to put this to bed.

Bill Bowley, 252 Landing Road, he commented on how when this election started there was a picture on the front page of the paper of Dustin about a personal issue that does not have to do with this election. However, on Friday this story was buried 4 pages in and not on the

front page. He also spoke about the grading of candidates. He feels that this needs to be fixed and fixed soon.

Mr. Bateman believes he just witnessed the demise of free speech. He commented on how there have been individuals in here wishing to address the Board and have gone on and nobody objects. They may be delivering messages that are politically opposed to him and he has no difficulty with that what so ever. He would not be the person he is if he did not believe in free speech and to have it limited because it involves one of them is a travesty.

Mr. Griffin has commented on public comment over and over and hopes that when the Board sets a time limit next week that they enforce it for the whole year. He thinks that this whole thing is ridiculous. He thinks public comment should be limited to 2 minutes and enforced. He does think that he would have gone about it in a different way than Mr. Znoj did but he does not feel that Mr. Znoj has a mean bone in his body and anyone who has been watching these meetings knows that he asks too many questions.

Mr. Lally has spoken with Mr. Znoj about this and he knows how he feels. He will stick with the comment he made in the paper and it is up to the Chairman to look into whether or not he violated the code of ethics. As far as what Mr. Znoj did, it did not have to be done. The education background of a Selectman makes no difference.

Mr. Znoj would like to summarize and go through the facts. He explained that he went over to the high school to scope out the voting location for the election. On his way out, he stopped in the office to get a confirmation if a candidate running for office had graduated from high school. He was told that there was no information available to him in the office and he was referred to the alumni chairperson, he was not told at anytime that this information is not public record and not readily available to me. He spoke with the alumni chairperson and concluded that these records maintained were unofficial. The reason he did this was the candidate did not submit a profile to the Hampton Union, attended two candidate's night and it was not clear to him at that point, he became curious, and that is why he stopped in the office on the way out. It was less than a two-minute visit and he thanked them for aiming him in the right direction. He did not ask for or want any of his records just a verbal confirmation. He has read the code of ethics several times and is not in violation of any line of the code of ethics in his opinion. He is not a dirt digger or a dirt thrower. It is not his style we know who he is and what he says he says here. He does not intend to resign and it has never crossed his mind. He will continue to be a taxpayer advocate for the next year and be very aggressive about it. This information flow that triggered the Town did not start with him. He did not demand a thing he requested very professionally and politely.

Chairman Nichols was asked to review the code of ethics by Mr. Lally and he does not believe anything in the code of ethics was broken. He feels very confident in that and having said that quite frankly he does not think Mr. Znoj did the right thing in terms of asking for that information. He suspects Mr. Znoj if given another opportunity he would not do it again. At this point, he would like to move on to the next item on the agenda.

II. Announcements and Community Calendar

Mr. Griffin mentioned that he went on Saturday to the Hampton Community Choral Society cabaret evening and it was wonderful.

Mr. Lally hopes to see everyone out to vote tomorrow and gave directions on the location.

Mr. Znoj clarified that there will be signage out tomorrow directing the public. He also encourages everyone to come out and vote.

Chairman Nichols expressed the same sentiments of Mr. Znoj and Mr. Lally and the power of their vote is important.

III. Appointments

1. Ed Tinker – Assessing Department

Mr. Tinker appearance this evening is to review a series of abatements they have started to work on this year.

Discussion

Mr. Znoj has reviewed all the abatements and there are two he feels should be discussed in non-public 2010-15 and 2010-94. He would request that these two be held out. Chairman Nichols pointed out that this would have to be held for a vote for next week.

Mr. Tinker has one other thing for the Board and it has to do with the sewer abatement worksheet. He provided this for the Board and wonders if they have any questions.

Chairman Nichols does not have any problems with the abatements presented.

Mr. Griffin MOTIONED to approve the abatements as presented with the exclusion of the abatement for 2010-15 and 2010-94. Mr. Lally SECONDED.

VOTE: 4-0-0(Bateman)

2. Ed St. Pierre – Candidates Night – Not Present

IV. Minutes of February 28, 2011

Page 3; third paragraph, first sentence. The sentence should read as follows:

“Mr. Znoj commented on the following: we have used up 42% of salt budget, he questions overtime in one of the accounts, he questioned the plowing budget, and he questioned the spiking of the compost screening, gasoline and fueling budgets and water accounts.”

Page 4. Under the Correction of the Minutes of February 14, 2011.

Page 3. To clarify the intent of the sentence. “to get more of our fair share of the Meals and Rooms tax, the request for the increased amount that should come back to the Town incrementally, one way justify this would be to argue that this money could be used for the improvements at the Beach, and would be looked more favorable on over the legislation in Concord and would increase our chances for success.”

Page 7: 5th Paragraph; to clarify and add Mr. Schwotzer’s comment.

“Mr. Znoj wonders if there is a benefit with the schools with the proposed 18-month fiscal year or it is just that we will be in the same fiscal year.

Mr. Schwotzer indicated that there would be a definite benefit. The Towns finances will be in much better order, to be in line with the School’s fiscal year.”

Page 8: Insert the following words “in the near term” to the forth sentence after the word rates.

Page 9: Second to last paragraph, first sentence. Insert the following after the word “and” “Mr. Tinker indicated that”

Mr. Znoj MOTIONED to approve the minutes of February 28, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

V. Town Manager’s Report

The most important thing that can be said under this report is that tomorrow is Election Day. PLEASE VOTE. Your vote does make a difference.

I want to make a correction to last week’s meeting. Compost is being sold for \$1.52 more per cubic yard than it cost the Town to process the materials. Compost is free to residents.

At the request of the Chairman and on behalf of the USS Hampton Committee, it is requested that the Selectmen discontinue the Committee.

The paperwork has been completed and the Sewer Moratorium has ended.

State E911 will start the process of mapping the Town starting on March 9th. State vehicles are being used for this function.

Discussion

Chairman Nichols asked about the compost screening and on a gross basis, we have two PO’s out there each not to exceed an amount of \$19,000. So conceivably, they could spend \$38,000 and Mr. Welch believes one of the PO’s should have been canceled. Chairman Nichols clarified then the cost would be \$19,000 so to break even we would have to sell about 3,800 yards to hit the breakeven point. There was an additional discussion about the companies who will purchase the compost.

VI. Old Business

1. Plowing of Beach Sidewalks

Mr. Welch did ask for a figure to plow just Ashworth Ave and the cost varied between \$10,000 and \$12,000 per storm. Chairman Nichols thinks that number is large compared to numbers to plow the Town.

Mr. Welch shared the problems faced at the beach including: how narrow the sidewalks are, telephone poles set in the sidewalks, other obstructions and the areas needed to be done by hand, clearing area into loaders, very labor intensive, would go out to bid and only some could be done in house.

Mr. Price did speak with the superintendant and there are several bus routes and stops at the beach. He provided some examples of the number of stops of some of the routes. He commented on how this happens on both Ashworth Ave and Ocean Blvd and the kids on the letter streets do have to cross the street. To sum up it can be cleared but it will cost money.

Discussion

Chairman Nichols brought up a concern by a parent last week about the construction vehicles. He would suggest for the remainder of this season that we have a police officer in

the area of Ashworth Ave. From the standpoint of the State construction, the completion of construction scheduled to end prior to the beginning of next winter. Mr. Welch is meeting with DOT this week and will suggest an alternate route for their construction trucks to take during the hours when the buses are going through.

Mr. Lally is still in favor of plowing the west side of Ashworth Ave. Chairman Nichols stated that this can be sent out to bid and see what comes back. Mr. Welch was asked to prepare the bid and send it out.

Mr. Griffin agrees that Ashworth Ave should be plowed. He has been down there and watched to see what the problems are. He would also suggest that the State should clear Ocean Blvd.

Mr. Znoj received some clarification on the path the children currently have to take to get to the bus.

Chairman Nichols asked about a related issue and it was mentioned to him last week that the new sidewalk plow seems to be having continuous problems. Mr. Welch confirmed that it is true we have been having constant problems and he has told Mr. Price to tell the manufacturer to replace it with a new piece of equipment. There was an additional discussion about the different types of sidewalk plows and the cost involved. They also discussed attachments that could possibly be purchased for the current sidewalk plow to assist with the sidewalks at the beach.

Mr. Griffin commented on some areas on Ocean Blvd near him and individuals have cleared out certain areas where the children wait.

Mr. Bateman provided some history on how the beach was plowed back in the day and they actually plowed back from the road so that the children would have a place to wait.

Chairman Nichols commented on how he did notice in past years that the plow did actually clear a portion of the sidewalk and this is the first year he has not seen this being done by the State.

Mr. Bateman commented on how the rocks on the east side of Ocean Blvd tend to cause problems.

2. Warrant Articles

Mr. Znoj expressed support of Article 8, which has to do with recycling.

Mr. Bateman hopes people will take a hard look at the Mounted Patrol Article and shared some of the positives that have come from having the horses.

Chairman Nichols would urge people to vote yes on the Teamsters Contract Article 11. He went through the concessions that these employees have made by putting this article forward.

Other Old Business

Chairman Nichols brought up NHRS reforms and some language that would cause problems for the Police Specials. He has seen an amendment and the language limiting part time employment to 24 hours a week has been removed.

Mr. Griffin would like to mention to Mr. Welch that we should get out a letter to the Planning Board member Mr. Viviano to thank him for his years of service. Mr. Welch commented that once the election is over this will be done.

Mr. Znoj commented that he and Mr. Welch have all the paperwork in hand in regards to preventive maintenance at the WWTP. There is still a little work to be done and it should be completed in the next couple of weeks.

VII. New Business

Chairman Nichols commented on a letter received from Arthur Moody, which addressed two issues: concern with parking and the AARP and the other federal mandate program to change street signs. He suggested that a possible solution to help defray the cost would be to sell the old signs. It was mentioned that the Federal mandate could be canceled.

Chairman Nichols brought up a potential problem with the leased land commission and apparently, there is a potential 2-term limitation. Atty. Gearreald was made aware of this and it will need to be addressed quickly. Mr. Welch gave some further explanation to the Board.

Mr. Lally sent his regards to the Family of former Selectmen Ansell Palmer who passed away.

VIII. Consent Agenda

1. ~~Sewer~~ Abatements: Map 208-48-6; Map 76-13; Map 207-30; ~~Map 184-RCL-21~~; Map 41-1-26; Map 134-73-1; ~~Map 245-7~~; Map STA-LSL-NHTN; Map 201-1-C; Map 201-1-5; Map 201-1-6; Map 201-1-22; Map 201-1-28B; Map 201-31; Map 201-32; Map 201-37; Map 201-41; Map 201-42; Map 201-43; Map 201-58; Map 201-67; Map 201-70; Map 201-98; Map 201-102; Map 201-107; Map 201-108
2. Jamie Steffen, Warren Bambury – Appointments to Rockingham MPO Technical Advisory Committee
3. USS Hampton Committee “Sunset” Request

Chairman Nichols read a letter from Sandy Buck about the USS Hampton Committee.

Mr. Lally MOTIONED to Move the Consent Agenda with the removal of Abatements: 2010-94 (Map 184-RCL-21) and 2010-15 (Map 245-7). Mr. Griffin SECONDED.

VOTE: 5-0-0

IX. Closing Comments

Mr. Bateman commented on the importance of voting. He will end with a few things. Education does not make the person never has never will it is intellectual bigotry to believe that any level of one’s education qualifies or disqualifies them from running for office. He wants to thank the Town for the privilege to serve on this Board.

Mr. Griffin thanked Mr. Bateman for serving and Chairman Nichols for a job well done as chair this year.

Chairman Nichols thanks Mr. Bateman for serving the past three years.

Mr. Lally commented on the stability on this Board and the need to keep the Town moving forward.

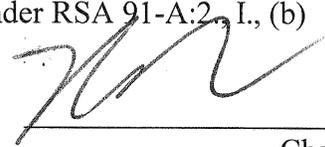
Mr. Znoj wished Mr. Bateman well and thanked him.

X. Adjournment

Mr. Lally MOTIONED to adjourn. Mr. Bateman SECONDED.

VOTE: 5-0-0

The Selectmen went into Non-meeting with Legal Counsel under RSA 91-A:2, I., (b)



Chairman

Town of Hampton



TOWN OF HAMPTON BOARD OF SELECTMEN Revised AGENDA

DATE: Monday, March 07, 2011
LOCATION: Town Offices – Selectmen’s Room
POSTED: Town Offices, Library, Beach Fire Station

7:00 PM Public Meeting

SALUTE TO THE FLAG

- I. Public Comment Period
- II. Announcements and Community Calendar
- III. Appointments
 1. Ed Tinker – Assessing Department
 2. Ed St. Pierre – Candidates Night
- IV. Minutes of February 28, 2011
- V. Town Manager’s Report
- VI. Old Business
 1. Plowing of Beach Sidewalks
 2. Warrant Articles
- VII. New Business
- VIII. Consent Agenda
 1. ~~Sewer~~ Abatements: Map 208-48-6; Map 76-13; Map 207-30; Map 184-RCL-21; Map 41-1-26; Map 134-73-1; Map 245-7; Map STA-LSL-NHTN; Map 201-1-C; Map 201-1-5; Map 201-1-6; Map 201-1-22; Map 201-1-28B; Map 201-31; Map 201-32; Map 201-37; Map 201-41; Map 201-42; Map 201-43; Map 201-58; Map 201-67; Map 201-70; Map 201-98; Map 201-102; Map 201-107; Map 201-108
 2. Jamie Steffen, Warren Bambury – Appointments to Rockingham MPO Technical Advisory Committee
 3. USS Hampton Committee “Sunset” Request
- IX. Closing Comments
- X. Adjournment

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**