

# Town of Hampton



## Hampton Board of Selectmen April 04, 2011 Minutes

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

**6:00 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 - None
- II. Announcements and Community Calendar

Mr. Znoj shared a letter he received about an Earth Day Cleanup on April 23<sup>rd</sup> from 9 to 12 on Route 101 from the boat launch to the entrance to Hampton Beach along the Marsh. For additional information, contact Hampton Beach Beautification Committee at 929-3850.

### III. Appointments

1. Chief Sullivan, Hampton Police Department
  - a. Departmental Update

Chief Sullivan has provided the Board with the stats from the department. In personnel, they have had a couple of officers out on extended injury leave. One appears to be on its way to disability retirement and the other continues. There was a third injury of a new officer at the academy. The other fulltime officer will graduate on Friday night. The part time class is down to 12 from the original 15. The appropriate budget adjustments have been made. First quarter stats compared to last year as follows: calls for service down 30%, incident reports up 5%, arrests up 28%, accidents down 17%, DWI arrests up 200%, drug arrest even, juvenile arrest up 200% and felonies up 17%. He shared some of the training that takes place in April and May. He explained the adjustment made under the Default Budget in regards to purchasing new cruisers. He explained some information they have obtained about getting rid of the three vehicles and would ask the Board to make a motion granting the department permission to declare units 310, 314 and 313 as surplus.

#### Discussion

Chairman Nichols clarified that the surplus vehicles would be going to the vendor who offered the most for the vehicles.

Mr. Znoj questioned the number of miles and Chief Sullivan answered in the 150,000 range.

Mr. Pierce asked for some information about the new part time employees and when they come onto the Town's payroll. Chief Sullivan shared the employment offer made to these employees and they will go on the Town's payroll when they return from the academy.

Mr. Znoj expressed concerns with those first warm days in April. Chief Sullivan commented that this is something that they are constantly watching. Chairman Nichols clarified that they are going with the same plan as last year and if 80-degree weather is predicted the department will react and put out additional shifts.

Chairman Nichols asked how police specials staffing compares to last year. Chief Sullivan stated they would have a better feel on this in a couple of weeks. Chairman Nichols clarified that they are now getting gas from the State. The State price is good for 18 months and he does not know when that is up. Chairman Nichols asked for an update on the Novell server. This has been dragged out but the bids are being prepared to go out and should be covered by the encumbered funds.

Mr. Griffin thanked him for the job he does.

Mr. Lally MOTIONED to declare the vehicles surplus and direct the Chief to dispose of them in the best interests of the Town. Mr. Pierce SECONDED.

VOTE: 5-0-0

## 2. Edward Tinker, Assessing

### a. Public Right of Way Assessments

Mr. Tinker has provided the Board with a report and added the following information: when some Towns started to assess the right of ways, valuation model is basically the same and utility appraisers' methodology.

#### Discussion

Mr. Znoj asked Mr. Tinker to explain how he assessed an area. Mr. Tinker explained the average width throughout Town was 10 feet 5 feet on each side. He added that this varies by Town.

Mr. Pierce asked if we plan to tax these utility companies. Mr. Tinker explained that we hope to begin taxing this year and will be based on the numbers he has given the Board tonight.

Chairman Nichols explained that these are estimates because every house might have electricity coming to them from Unitil but not necessarily natural gas.

Mr. Lally commented that the way Mr. Tinker did the calculation is very easy to understand.

Mr. Tinker explained this would include cable, telephone, gas and electric.

Chairman Nichols pointed out that the 50% factor is a middle of the road approach to the valuation compared to other communities. Therefore, he does not think that we are being overly aggressive.

Mr. Znoj asked if the majority of Town's are doing this. There is a number of Town's doing this and it has been going on for 10 years.

At some point, Mr. Tinker believes that most Town's will be doing this.

Mr. Pierce asked if this has anything to do with a bill up in Concord. Chairman Nichols stated that it does not and what Mr. Pierce is referring to is SB133, which he explained for the Board and the fact that it has been tabled by the house. This bill will not affect the Town's ability to tax this right of way.

Mr. Pierce MOTIONED to Approve the Public Right of Way Assessments in accordance with the formula as prescribed by Mr. Tinker. Mr. Lally SECONDED.

VOTE: 5-0-0

### 3. Michael Schwotzer

#### a. Finalization of 2011 Revised Budget

Mr. Schwotzer provided the Board with version 2 of his proposed budget realignment. He explained the process he had gone through for last week's proposed budget and after hearing the comments from the Board tonight, he has a 2-piece proposal. In Public Works, adjustments were made to: electricity, contracted services, paving, drainage construction, sidewalks and diesel fuel. He looked at public assistance in welfare and did some comparisons to prior years before making an adjustment to this budget. The adjustment from Welfare was shared by giving Cemetery back \$1,000 and Police and Fire took the biggest hits so he spread \$8,000 back between the two departments. He is also proposing that the part time wages for the Conservation be restored at \$24,000 to increase this position from 20 hours until 30 hours. The net change once again is zero.

#### Discussion

Chairman Nichols asked if Mr. Schwotzer would explain the part time positions added for recycling and the adjustments that will be made. Mr. Schwotzer explained for the Board how he did his analysis to decide if it would be cheaper to bring recycling in house. The part time wages for two employees at 32 hours would be \$48,000 for the whole year. These amounts were not worked into the Public Works numbers that he provided. Therefore \$24,000 needs to be added in to Public Works budget to cover the wages for half a year. In order to do this something will need to be adjusted down. Chairman Nichols would suggest that since last week, there was nothing in sidewalks and now there is \$50,000 he would suggest moving \$24,000 to part time wages and leave \$26,000 on the sidewalk line item. Mr. Znoj also suggested taking it out of paving. Mr. Pierce thinks that nothing should be taken out of paving. As for sidewalks there is one down at the beach that needs repairing and Mr. Pierce does not know what the schedule is for sidewalks. There was a consensus amongst the Board to move the \$24,000 out of sidewalks.

Mr. Lally thinks that we will be seeing an increase in public assistance especially with what is happening in Concord. Chairman Nichols shared some information about some legislation in Concord that limits the Town's liability to the amount of money a Town has in their budget. He also pointed out that even with the reductions we are at double what was spent last year. Mr. Lally believes that we will be spending it this year.

Chairman Nichols thinks that the changes look good and exactly what they asked for.

Chairman Nichols MOTIONED to approve proposed budget version 2 as submitted by Mr. Schwotzer with the exception that \$24,000 be removed from sidewalks and added to the part

time wages in solid waste and the adjustment requested by the Police Chief from one overtime wage account to another. Mr. Pierce SECONDED.

VOTE: 5-0-0

Mr. Znoj reminded everyone that we need to still get the Building Inspector truck.

Mr. Schwotzer has received a call from DRA, they have received all the forms, and they are fine. They have asked to be notified when the legislation changing us to the 18-month period is passed.

Mr. Pierce explained that he had asked Mr. Schwotzer today what he would like to give the Budget Committee in regards to the budget. Mr. Pierce would suggest that we give them version 1 and version 2 so they could put this together. Mr. Schwotzer however strongly disagreed with what Mr. Pierce is requesting. Mr. Schwotzer feels that this is too much paperwork and would be confusing. Chairman Nichols feels that they should be given version 3, which is the final version. Mr. Znoj commented that up to this point all of this is working paper. Mr. Griffin agrees with Mr. Schwotzer.

b. HB 457 Interest on Delinquent Taxes

Chairman Nichols put this on the agenda because it is important to Hampton. The bill has passed the House and there is a hearing in the Senate tomorrow. Senator Stiles sits on the committee that will be hearing this and she agreed with Chairman Nichols that it is important that they hear Hampton's opinion. Mr. Schwotzer explained HB 457, which is a change that cuts the interest rates applicable to the tax bills and liens. The current interest rate on tax bills is 12% and would be cut to 6%. The current interest rate on liens is 18% and would be cut to 9%. He explained the bill in further detail for the Board and if the rates are cut in half, the total impact on all Town's would be over \$8.5M. This would come out of the revenue stream. In Hampton, the impact would be around \$200,000. He expressed other concerns he has including an increase in late payments. He shared an analysis he did for 2010. He believes this is a lose/lose bill. They also discussed the year-end receivable for property taxes including the fact that it usually is at about \$1M a year and has been steady over the past several years. They also discussed how the liens work and people tend to pay them before the 3 years is up on the lien and we currently collect 18% on liens.

Discussion

Chairman Nichols tends to agree with Mr. Schwotzer's point that the unpaid taxes will probably tend to grow if the interest rate is down at 6%.

Mr. Pierce believes that this was pushed through by a person in Hampton who had very good intent. He shared the example given to him by this person when he was going to push this through and he got behind him at the time. He does feel now that we need to work to make sure that this does not get pushed through in Concord.

Mr. Griffin feels that the interest rates have been cut too much by this bill. He would be in support of maybe 12% instead of 18%. He also mentioned the consequences of having a lien on your property.

Mr. Lally is not in favor of this bill at the rates suggested.

Chairman Nichols agrees with Mr. Griffin that the 12% and 18% should be reduced but not to 6%. The 12 and 18% probably made sense at the time it was set but in these days and times it should be adjusted. He would suggest that the rate be set based on looking at the rate at which the Town would be charged if we had to borrow and high enough so that there is an incentive to pay the bill. Therefore he would be in favor of lowering it to somewhere in the 9 to 12% range. He thinks the feedback we should give Nancy is that 6% is too low.

Mr. Znoj asked for the process in which a property has a lien put against it. Chairman Nichols explained it for Mr. Znoj. Mr. Znoj would be in favor of the initial interest rate being 9% and raising to 12% when a property goes to lien.

Mr. Pierce agrees with everything that was said today but feels that the bill lacks an allowance for special situations. Chairman Nichols stated that this is unrelated to this bill. Mr. Schwotzer explained that there is another vehicle for this type of situation and that is a hardship lien.

Chairman Nichols would propose that the feedback for Nancy is that we would not be opposed to seeing the rates come down but we would not want to see anything less than the 9 to 12% range. The Board agreed that this is what should be done.

#### IV. Town Manager's Report

The annual leaf collection will be held the week of April 25<sup>th</sup>. DPW will pick up at curbside yards wastes (leaves, pine needles, grass clippings, etc on your regular trash collection day, materials must be in biodegradable paper bags or loose in trash barrels and must be free of any trash or paper products as the materials will be composted. Twigs, braches or brush must be taken to the Transfer Station.

Notice has been received from the New Hampshire Liquor Commission of application for a permit for a Cocktail Liquor License from Greg's Bistro, 445 Lafayette Road and from Porkez BBQ Pig Pen at 184 Lafayette Road (North Hampton). Those wishing to submit data, views, comments or other materials or evidence on the issuance of licenses should send them to the NH Liquor Commission

The State Highway Safety Agency has approved grants to the Police Department DWI Hunter Patrols during June, July and August. Reimbursement will be on the basis of actual expenses.

The Town's vendor for Mosquito Control, Dragon Mosquito has submitted the Town's Special Permit Application for that function. A copy is available at the Selectmen's Office for public viewing.

Citizens are requested not to place wood ashes in the leaf pile at the Transfer Station. Our Public Works Employees avoided a fire this past week when someone dumped hot ashes in the pile.

The Tax Collector has requested that I announce that her office will be closed on April 19<sup>th</sup> to attend the Annual Spring Payment Workshop.

I have requests for Entertainment Licenses that were late arrivals. For the 401 Tavern, the Ashworth Hotel and the Hampton Beach Ballroom that the Board is requested to approve.

Mr. Lally MOTIONED to approve Entertainment Licenses for 401 Tavern, Ashworth Hotel and Hampton Beach Ballroom. Mr. Pierce SECONDED.

VOTE: 5-0-0

He received today an update from the Chamber on the Hampton Beach Redevelopment, which he read for the Board. The North and South bathhouses will be open to the public on April 15<sup>th</sup>. Parking regulations go into place on May 1<sup>st</sup>. He provided a breakdown on some of the different parking areas at the beach. The RV Park will open on April 23<sup>rd</sup>.

#### Discussion

Mr. Znoj clarified that water meters are being installed in the new bathhouses.

Chairman Nichols asked about the positioning of trash barrels by the Town and if they will be going out next week. Mr. Welch stated that they have started today and hope to have them all out by Wednesday. Chairman Nichols has spoken with the State and they intend to get some barrels out next week. He asked that Mr. Welch follow up with DRED and give them a little nudge. He reminded everyone what was done last year.

Mr. Pierce asked if Brian has been replaced and Mr. Welch has heard a rumor that someone has been hired.

### V. Old Business

#### 1. DPW

##### a. In-House Trash/Recycling Transition

Chairman Nichols asked Mr. Welch to provide the Board with an update about the plans in place to bring recycling in-house. Some of the things involved are equipment needed, trash and recycling schedule, hiring some additional part time employees and the reorganization of Public Works. Chairman Nichols thinks that there needs to be a written plan and he would like to see it sooner than later. One of his main concerns is that we need to lay out the routes and schedules to make sure that the work can be done with the number of employees discussed and it is not going to be a situation where all of a sudden we need three new fulltime employees. Mr. Welch stated we are in the process of doing all of these things. He touched on: the bids that have gone out and will go out, pickup will be based on the same schedule with trash and recycling being done on the same day, plan to take a few test runs before we get into the operation, the reorganization and should be able to have totters and equipment within 90 days.

#### Discussion

Mr. Znoj clarified that the equipment being purchased is reliable. Mr. Welch informed the Board on the research that has been done and that we are keeping the old packers as backups.

There was a discussion about the equipment and the trucks with the side arms.

Chairman Nichols expressed some concern with the 90-day turn over for the new equipment and the fact that we will probably be using the old packers for the month of July.

They discussed the trash pickup schedule and recycling schedule at the beach. Mr. Griffin does not think that trash needs to be picked up at the beach 3 days a week year round. Mr.

Welch thinks that we should do a time and material study at the beach to see if the pickup schedule can be adjusted.

Chairman Nichols would still like to see a written plan and that it should be started by next week. It should also include looking at the beach pickup schedule.

Mr. Znoj asked about the trucks and how many employees would be on each truck. It will be two; the driver and the helper. It will take some time to train the residents about the placement of the barrels so the mechanical arm can pick them up.

They discussed how this would work on the lettered streets and the barrels will have to be placed on the no parking side of the street. If people need extra barrels, they can purchase them at cost. They also discussed the west side streets and some of the problems we will face there.

#### b. Re-Organization Status

Mr. Welch explained he has passed out the Deputy Director Job ad for the Board to look at. The ad once approved will go in the paper, on the website and the three municipal websites. This will jump-start the Re-Organization process.

#### Other Old Business

Chairman Nichols brought up the reverse 911 and although it was not discussed with the budget he would still likes to continue to look at this. Mr. Pierce clarified that we are looking into including the school with this.

Chairman Nichols mentioned the 2011 objectives of the Board and since it is not on the agenda, he would suggest that this not be approved until next week.

Chairman Nichols clarified that Tim Jones received the information from his 91A request. Mr. Griffin does not think that he was happy with what he got. Mr. Welch has not heard from Mr. Kubik.

### VI. New Business

Chairman Nichols stated he spoke with Chief Silver to get the discussion going on the Fire Stations and he will be on the agenda next week.

### VII. Consent Agenda

1. Parade & Public Gathering License "Reach the Beach Relay"
2. Parade & Public Gathering License "Cycle the Seacoast"
3. Raffle Permit "Sacred Heart School"
4. Raffle Permit "Children's Hospital" at the Lane Library
5. License for Coin Operated Amusement Devices "D. M. Sales Corp"
6. Committee Appointments: Conservation, Cable, Energy, Heritage, Insurance Advisory, Recreation, Recycling
7. Hampton Arts Network Temporary Sign Request

Mr. Pierce MOTIONED to Move the Consent Agenda. Mr. Lally SECONDED.

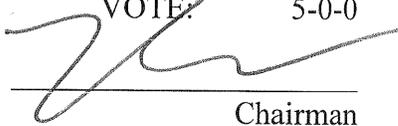
VOTE: 5-0-0

### VIII. Closing Comments

Mr. Pierce would be happy to watch over the road repairs/improvements on behalf of the Board if that is ok with them. Similar to what Mr. Znoj has done with the WWTP. Chairman Nichols thanked Mr. Pierce for this offer.

IX. Adjournment

Mr. Znoj MOTIONED to adjourn. Mr. Lally SECONDED.

VOTE: 5-0-0  
  
Chairman