Hampton Board of Selectmen
May 09, 2011 Minutes

PRESENT: Richard Nichols, Chairman
William Lally, Vice-Chairman
Richard Griffin, Selectmen
Gerald Znoj, Selectmen
Michael Pierce, Selectmen
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney
Wanda Robertson, Assistant Town Attorney

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

David Goethel, 22 Ridgeview Terrace. Presented a package of information to the Board; for the Boards representative to use to address the issues that affects Hampton's fleet of small independent fishing boats and the condition of the Hampton's Fishing Pier for the meeting tomorrow on Fishing Piers with the Dept. of Commerce.

Mr. Goethel explained that the Magnuson-Stevens Act changed Fishing and that Fishing now is not about how many days at sea (Fishing), but on how much poundage that was caught in the past. Fishing permits now determine how much poundage of fish that can be caught; based on past poundage; the permits also limits the type of the species of fish that can be caught and where and when that type can be caught. Fishing Charters can fish anywhere but Fisherman cannot. This catch share system has hit hard on Hampton's small independent fishermen. The cost of Fishing has increased and no one can now afford to buy a Fishing Permit in order to enter Fishing as a livelihood.

Ellen Goethel, 22 Ridgeview Terrace. Mrs. Goethel stressed to the Board how deplorable the Hampton State Piers condition is, and that the Pier should be repaired, as several people have been hurt on it, including her husband. Ms. Goethel requested the Board to seek funding for the repairs and for on-going maintenance. She also stated that Fishing permits are too expensive and no one is selling or buying permits. Ms. Goethel mentioned that the Seabrook Co-op is down 1 million in revenue due to the changes in Fishing.

II. Announcements and Community Calendar

100 Winnacunnet Road, Hampton, New Hampshire 03842 Tel. 603-926-6766 Fax 603-926-6853

Mr. Znoj announced that Senator Shaheen's staff will be in the Hampton Town Offices on Thursday June 30th from 2:00 PM - 4:00 PM. To help individuals with issues related to the federal government such as veterans' benefits, social security and citizenship, as part of the Senator's office's outreach effort. His second announcement was the Experience Hampton Essay Contest and more information can be found at www.experiencehamptonnh.org

Mr. Griffin would like to give credit to the people who are working on the grounds of the Library, who are doing a professional job.

Mr. Lally announced information about the Pease Greeters and the need of our Troops in Ethiopia for baseball equipment, as they are teaching the children to be able to play Baseball, the drop off is at the Hampton Police Department.

III. Appointments

1. Ed Tinker – Assessing Department

a. 2011 "First Half" Real Estate Property Tax Warrant

Mr. Tinker explained that this directs the Town Tax Collector to collect taxes for the first half of the year for $24,703,368.92.

Mr. Znoj MOTIONED to approve the 2011 "First Half" Real Estate Property Tax Warrant for $24,703,368.92. Mr. Pierce SECONDED.

VOTE: 5-0-0

a. 419 Ocean Blvd – Abatement Request

The Board discussed with Mr. Tinker the ramifications and implications involved in going back that many years for abatement requests for this particular property and any other property. The consensus was that the Board would not respond to the 2007 and 2008 abatement requests.

b. Abatements

The Board discussed the recommendations on the abatements from the Assessor.

Mr. Lally MOTIONED to approve the abatements as recommended by the Assessor. Mr. Znoj SECONDED.

VOTE: 5-0-0

2. Michael Schwotzer – Monthly Financial Report

Mr. Schwotzer explained the Income and Expense Statements for the month ending April 30, 2011. This is the fourth report of 2011 with a monthly target of 33.3%. Total income for the month of April was $519,000.

The Expense summary shows the year to date expenses by department. At the end of April, the operating departments (with debt service) were 28.4% of the budget, which is below the month's target of 33.3%. The majority of the departments are below the target level and do not have any major issues. Some of the smaller line items continue to be over the year-to-date target because prior year encumbrances have been paid.

The Employee Separation Costs account has $166k available for the rest of 2011. This may not be sufficient if a high number of retirements occur as a result of pending legislation that could possibly make dramatic changes to the retirement system.

Mr. Nichols stated that the House has deferred the effective date of the legislation to December 1st.

The Board members engaged in discussion on the exposure of the effect of potential employee retirements and funding it from the undesignated fund balance and how the Board could achieve that.

Mr. Schwotzer answered the questions posed by Mr. Nichols with respect to the April Income and Expense Statements and the questions posed by Mr. Znoj in his email regarding the LGC costs, part-time wages in the Town Manger's office, the Fire Department and DPW division's expenditures and the Municipal debt.

3. Charlie Preston – Resident Beach Parking

Charlie Preston, 47 Glade Path. Mr. Preston is requesting the Board allow Hampton residents to park at Island Path during the day when School in, not on weekends and for events at the Beach that are sponsored by Hampton community based groups.

Discussion amongst the Board members and Mr. Preston regarding his request. Mr. Welch will discuss with the Parks and Recreations Director about implementing the request of Mr. Preston.

Mr. Pierce mentioned the ribbon cutting ceremony on the Beach Sea Shell on Thursday, May 12, at 11:30 AM.

IV. Minutes of April 25, 2011

Minutes of April 25, 2011

Page 2: 5th paragraph, insert the word "not" after the word does.
Page 5: 5th paragraph, sixth sentence change the word "perform" to pro form".
Page 7: 5th paragraph, sixth sentence remove the following words "but there is an appeal process" from the sentence the begins with Mr. Znoj clarified….

Mr. Pierce MOTIONED to approve the minutes of April 25, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

Minutes of May 02, 2011

Page 2: 3rd paragraph insert the word "not" before the word "discontinue".
Page 3: 9th paragraph correct the spelling of Maury Friedman.
Page 4: 9th paragraph, second sentence reword the sentence to read "spare parts program."

Mr. Pierce MOTIONED to approve the minutes of May 02, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

The Board held a meeting last Fall with the residents of Meadow Pond Road, Green Street and Gentian Road to consider the place of parking restrictions on these streets. The residents have requested the Board to take action to approve the restrictions and to place appropriate signage before Memorial Day.

Discussion

The Board discussed the need for the parking restrictions in this area and the problems the residents of this area, including Kings Hwy experience with the demand for on street parking in the summer months. At the May 16, Mr. Welch will have the recommendation from the Police Chief for the parking restrictions on the streets.

We want to remind residents that the US EDA will be holding a meeting at the Seabrook Library on Tuesday, May 10th from 1 PM to 2:45 PM with the goal to provide customized technical assistance for fishing communities that experienced reductions in groundfish fishing revenues in recent years.

Discussion

The Board discussed the fiscal (negative) impacts that these regulations have had on the local fisherman.

Update on the Beach Infrastructure construction. The Seashell Complex work continues on all the buildings. The sidewalk along Ocean Boulevard is expected to open at the end of May. On Thursday, May 12th, Governor John Lynch and other officials will celebrate the opening of two new bathhouses and showcase the site improvements at Hampton Beach State Park. The ceremony will be held at the Marine Memorial at 10 AM and this event will be open to the public. The parking fee enforcement in that area will be suspended from 9:30 AM to 12:30 PM. After the ceremony the public is invited to take a self-guided tour of the new facilities.

The Town still has vacancies on the following committees – one position on the Highway Safety Committee; two positions on the Insurance Advisory Committee; one position on the Real Estate Leased Land Commission. Contact the Town Manager's Office if you are interested in any of these committees.

Discussion

Rick Griffin suggested that the Town Manager contact John Tortorice for a position on the Insurance Advisory Committee.

We are currently working through an issue on the beach raking of the Sun Valley area with DRED. Reports are that they will not be conducting that activity in 2011. We will be meeting with DRED this week in an attempt to resolve any issues.

The Town has received three notices of applications for liquor licenses. A restaurant-Beverage and Wine license for ITS Italian at 23 Ocean Blvd. The applicant has requested the Board to support the waiving of the 15-day waiting period and with the Boards permission we will send out a letter to the Liquor Commission regarding this. A combination beverage/wine/tobacco liquor license for S and L Convenience at 560 High Street. A Restaurant, Beverage/Wine Liquor License for Cyclades Associates at 838 Lafayette Road.

Bids were awarded to the following companies. Hy-way Safety Inc., for pavement markings; Brox Industries for Aggregates; Seal Coating Inc., for the roadway seal coating; Two bidders bid on the screening Beach Rakings; North Hampton at $3.38 for a total of $1690.00 at and Dirt Doctor $6.47 for a total of $3335.00 and that bid for the Beach Rakings has not been awarded as there were not the required three bidders.

Mr. Nichols MOTIONED to award the Beach Rakings to the lower of the two bidders (North Hampton Excavating). Mr. Lally SECONDED.

VOTE: 5-0-0

Twelve Special Police Officers for the summer on the recommendations of the Police Chief.

The Beach Street Lighting Bid for A, B and C Streets, the two bids which were submitted were incomplete and the requested information was not submitted.

Discussion: The bid will be re-bid and the work will not be done until the fall. There may be problems with the conduits on the streets, and this needs to be investigated further, as sidewalks will need to be dug up. The re-bidding of the Beach Lighting may include adding additional lettered streets and/or the consideration of alternative streets for installation of the lights at the beach, and to include input from the Precinct, Police Department and the Fire Department.

The Town Clerks Office will be closed on Wednesday May 25th.

On May 12th between 3 PM and 8 PM; May 14th between 9 AM and 5 PM; and May 21st , between 9 AM and 5 PM. The Police will be conducting Fire Arms Training at the Firing Range at the DPW Facility.

Mr. Znoj MOTIONED to recommend the waiving of the award the Beach Rakings to the lower of the two bidders (North Hampton Excavating). Mr. Lally SECONDED.

VOTE: 5-0-0

It was clarified that Porky's Pig Pen is in North Hampton.

The Board discussed the issue of the trees were put on Town property at 102 Exeter Road as a buffer by the property owner and their anticipated growth that will impede sight distances for the road. The Town's plan is to have the property owner relocate the trees onto the owners' property. The property's driveway is also not in conformance with the Driveway Regulations, as it is too wide, but that is an issue for the Planning Board to work with the property owner to narrow down the driveway.

The Board concurred that the Town Manager is to work with the property owner at 102 Exeter Road (Map 124, Lot 2) with the relocation of the trees.

The Board discussed the sidewalk plow and its defects. The plow would be sent back to the manufacturer for warranty repair, and any other repair outside the warranty would be on the Town's dime. The Board instructed the Town Manager have the machine returned and the Town be sent a new one.

Discussion on the issue of who will get the two containers; it will be one barrel for trash and one barrel for recycling to all single and two family homes, using the Assessors and Building Departments records. According to the warrant article; and basing the determination of use from the Assessor's data base, only one and two families, and any building with over two residential units will have to purchase the barrels. The issue of commercial businesses that also have residential units was discussed and this issue will be investigated further to determine how to distribute the barrels to these entities. It was suggested that all properties (dwellings) should receive one set of barrels. This will be revisited with DPW at the May 23 Board meeting.

Mr. Griffin discussed that the Planning Board would like to discuss with the Board this issue of recycling and trash pick up.

Mr. Znoj updated the Board on the Recycling Committee thoughts on the containers; that they are too big, and will never be able to be filled. The option for smaller sized containers, as the size was a concern, the storage location for the containers. The containers will be stamped with the appropriate use, and they will be delivered. Orientation of the containers will have direction as to how they are placed on the street. The committee wishes to do a bulk mailing with information regarding the use of these.

For the next meeting; to determine how many of the 9800 barrels will be used for the single and two family resident; a recommendation and plan for the distribution of remaining barrels to the residential units with over two units.

VI. Old Business

Mr. Znoj inquired about the demolishing of the Old Town Hall and to solicit a local contractor to demolish it for free.

VII. New Business

1. Warrant Articles Implementation

Mr. Nichols wanted to put this on the table for discussion. Next week to discuss what needs to be done, create a short list. To discuss the approved warrant articles one by one, as to what needs to be done, where they stand.

a. Committee Appointments to the Hampton 375 Commission

2. Bradford Street – Request for the removal of the Jersey barriers

Discussion

The barriers were placed to prevent vehicles from driving on the beach and that they were placed there during the sewer replacement project.

Mr. Pierce MOTIONED to Approve the request for the removal of the Jersey barriers on Bradford Street. Mr. Znoj SECONDED.

VOTE: 5-0-0

3. Parade & Public Gathering License "Macklin & Judson Wedding" 07/23/2011
4. Use of Public Property – Bicentennial Park "Macklin & Judson Wedding" 07/23/2011
5. Entertainment License – One Day "Macklin & Judson Wedding" 07/23/2011

Discussion

Mr. Nichols explained why they were place here on the agenda, rational was to show that there was nothing to hide and not buried in the Consent Agenda.

Mr. Nichols MOTIONED to Approve the request of the three licenses for the Macklin & Judson Wedding. Mr. Pierce SECONDED.

VOTE: 5-0-0

Discussion

Again, the rational was to show that there was nothing to hide and not buried in the Consent Agenda. Mr. Pierce asked whether if drinking on the public street is allowed? No drinking is allowed on the public way.

6. Street Closure Permit "Pine Road Memorial Day Lobster Bake" 05/29/2011

Mr. Nichols MOTIONED to Approve the Street Closure Permit for the "Pine Road Memorial Day Lobster Bake. Mr. Pierce SECONDED.

VOTE: 5-0-0

VIII. Consent Agenda

1. Leased Land Real Estate Commission Appointment – Ute Pineo
2. Leased Land Real Estate Commission Appointment – Tom McGuirk
3. Parade & Public Gathering License "Seacoast Safari" July 16-17, 2011
4. Parade & Public Gathering License "NH Tow & Trade Show" 05/15/2011
5. Use of Public Property – Town Offices Parking Lot "Hampton Garden Club Plant Sale" May 21, 2011
6. Abatements: MGVP, LLC – Map 296-19-1/2 P St; Keenan– Map 282-68/61 Island Path; Patterson – Map 144-8/548 Lafayette Rd; Rigby/Wilson – Map 36-6/520 Exeter Rd; Torossian – Map 210-13-1/4 Sixth St; Scalisi – Map 52-1-A/385 Exeter Rd; Fothergill – Map 109-28/179 Mill Rd; Pierce – Map 98-43-1/1056 Ocean Blvd; Lang – Map 6-35/732 Exeter Rd; Wagner – Map 266-2-9; 511 Ocean Blvd unit #9; Pynn – Map 219-10-20/20 Seabury; Pynn – Map 210-15-2/ 68 Kings Hwy Unit #2; Lavin – Map 123-1-61/61 Hampton Towne Estates; Drakesdie Rockingham LLC – Map 172-12/180 Drakeside Rd; Chong – Map 76-4/22 Munsey Dr; Waterway Realty LLC – Map 208-48-1/426 Winnacunnet Rd Unit #1; Waterway Realty LLC – Map 208-48-1/426 Winnacunnet Rd Unit #2; Waterway Realty LLC – Map 208-48-1/426 Winnacunnet Rd Unit #3; Slovenski – Map 92-5-4/10 Sherburne Dr; Kier – Map 266-47/431 Ocean Blvd; Liebman – Map 134-65-1/5 Shaw St; Ravell – Map 120-5-4/108D Mary Batchelder Rd; Four Juniper Lane Realty Trust – Map 97-1-11/4 Juniper Ln; Michalenka – Map 202-1-36/160 Lafayette rd Unit 36; Desrosiers – Map 202-1-97/ 160 Lafayette Rd Unit # 97

Mr. Griffin MOTIONED to MOVE the Consent Agenda. Mr. Pierce SECONDED.

VOTE: 5-0-0

IX. Closing Comments

Discussion on changing the name of the Recycling Education Committee to Recycling Committee. The committee will continue to be just a advisory committee.

Mr. Znoj MOTIONED to MOVE the Consent Agenda. Mr. Pierce SECONDED.

VOTE: 5-0-0

X. Adjournment

Motion to adjourn by Mr. Pierce and Seconded by Mr. Znoj.

VOTE: 5-0-0

Chairman