Hampton Board of Selectmen
June 06, 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

Arthur Moody commented on three different agenda items that may be possible giveaways unused video equipment, bid for surplus fire engine and donation of old fire alarm log book to the Hampton Historical Society. He questioned where the bid was posted for the fire engine and whether or not the logbook should be kept since they are records. He wonders if the Municipal Records Committee is recommending the logbook be donated.

Chairman Nichols assured Mr. Moody that the Board would be sure that they have the authority before the donation of the logbook is made to the Historical Society. Mr. Moody also brought up the ordinance on surplus equipment. He brought up the private use of the beach for a wedding. The last item was the 375th Committee positions, which he is interested in being a member.

II. Announcements and Community Calendar - None

III. Appointments

1. Ed Tinker – Assessing

a. Abatements

Mr. Tinker provided the Board with a copy of the abatements. Chairman Nichols summarized that there are 19 separate abatements and the total amount of money is $46,181.

Discussion

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

Mr. Znoj clarified that we have money in reserve to cover these abatements.

Chairman Nichols commented that the only abatements outstanding at this time are from 2009 and forward. There was a discussion on additional abatements that might be coming and the five court cases.

Mr. Znoj commented on the estimated total exposure amount and the fact that there is enough in reserve to cover this amount.

Mr. Pierce MOTIONED to APPROVE the 19 Abatements. Mr. Znoj SECONDED.

VOTE: 5-0-0

Chairman Nichols asked about the 14 possible abatements and whether or not they will be completed before July 1, 2010. Mr. Tinker will work to have these done by the June 27th meeting.

2. Brian McCain, Cable Committee

   a. Unused Video Equipment

Mr. McCain informed the Board that they are in need of a speaker system. He explained to the Board what they currently have and what they need. He talked about the opportunity to trade in some equipment that is not used. The item they would be interested in trading in is a teleprompter.

Discussion

Mr. Znoj asked what the amount of the new speakers is and it is $889. Mr. McCain provided additional information including that this is not only speakers but also a PA system. The use is for meetings outside of this building. The total cost is $1,094.56.

Chairman Nichols asked what other research has been done if any to see if this is a reasonable price. Mr. McCain has done research and provided it to the Board. Chairman Nichols stated there is plenty of funds to do this so the question for the Board is do we want to trade in the teleprompter.

Mr. Lally and Mr. Pierce are in favor of trading in the teleprompter since the value will only continue to drop.

There was a consensus amongst the Board to trade in the teleprompter.

3. Bill Christian

   a. Request posting of speed limit 25 mph on Landing Road – South

Mr. Christian read the letter he sent to the Board including the need for a speed limit sign since there are no speed limit signs on this road. He would also like the Police Department to patrol this area.

Discussion

Mr. Lally and Mr. Pierce wondered if the speed limit is actually 25 mph. Mr. Christian spoke with the Board secretary and was informed that the speed limit is 25 mph.

Chairman Nichols asked Mr. Welch for his opinion. Mr. Welch stated that the lowest speed limit that the Board could post is 30 mph without doing a whole traffic study. Mr. Welch

also explained that it can be posted as 30 mph but will not be enforced until a speed of 35 mph is reached.

Chairman Nichols commented that it appears the only thing that can be done at this time would be to post a 30 mph sign.

Mr. Christian asked what would be involved to do a study. Chairman Nichols believes that the cost involved would be substantial and questions the benefit of having a sign that says 25 mph as opposed to 30 mph.

The Board agreed to have a 30 mph sign posted and the location is to be determined by the Police Chief.

There was an additional discussion amongst the Board about 25 mph speed limit signs and traffic studies.

Mr. Griffin suggested that Mr. Christian attend one of the Highway Safety Committee meetings.

4. Art Gopalan, Hampton Art Network (HAN)

    a. Sponsorship of the HAN Art Display at the Town Offices

Mr. Gopalan commented that he is here as a result of the April 25th meeting and some items that needed to be taken care of by the Hampton Art Network. He and Mrs. Gebhart are here tonight to ask for sponsorship. They have spoken with the Building Department in regards to how the artwork is to be hung. They also understand that the timeframe is to be 6 months and the artist must sign a waiver from holding the Town liable for any damage to the artwork. The hanging system will remain in place however, the artwork may be switched out with artwork from another artist in their organization.

Mrs. Gebhart went into further detail on the system that will be used for hanging the artwork. She also expressed her thoughts on the types/themes of the artwork.

Discussion

Chairman Nichols just explained that the reason for limiting it to 6 months was in case another artist is interested in participating in this.

Chairman Nichols MOTIONED that the Board of Selectmen sponsor the Hampton Art Network expedition in Town Hall for a 6-month period from June through December 2011. Mr. Pierce SECONDED.

VOTE: 5-0-0

5. Mark Richardson & Ryan Sharpe, DPW & Recycling Committee

    a. Recycling Program

Mr. Znoj suggested that members of the Recycling Committee should also come forward at this time. Chairman Nichols explained that these individuals have been invited to provide an update on the implementation of bringing recycling pickup in-house. He also mentioned the item under Old Business in regards to recycling policy decisions needed to be made by the Board.

Mr. Richardson has provided the Board with an update on June 2nd, which includes specific dates when the trucks will be delivered, and the totters. It was clarified that the trucks will

come with the radios and lights already installed. A truck was delivered today for the employees to practice on for a few days. Mr. Richardson explained that he has meet with the Recycling Committee and together they came up with some percentages on what types of totters to order. They are recommending that we order 20% of the 96-gallon totters, 70% of the 64 gallon, and 10% for the 35 gallon. He has spoken with other communities and the 64 gallon is working perfect.

Discussion

Chairman Nichols shared some research he obtained on what size totters other communities are using and he found that everyone had a few choices of size. He asked them to explain the process on how it will be decided what size totter a resident receives. Mr. Richardson explained that they did discuss this and it was decided that the 64 gallon would be the default. They plan to bring all three sizes up to the Town Hall to display and if someone would like a different size, they will have to notify the Town. There was a discussion on how the totters will be distributed and the staging area that will be used for the totters to be assembled. They discussed in further detail on the list that will be generated and given to the company that will be delivering the totters. Chairman Nichols asked for a date that a resident has to request a different size totter and who they make the request with. There was a discussion on who to call and it was decided that Public Works would be the place to call if you wish to have a different size totter.

Mr. Znoj wonders how many trash bags will fit into each size totter. Mr. Richardson stated it depends on the size of the trash bag but the average kitchen trash bag 2 would fit in the 35 and 4 would fit in the 64. Mr. Welch reiterated the importance that all trash must be in the cart or it will not be picked up. Mr. Richardson pointed out that cart is the proper word that we should be using since the word totter as been copyrighted. A member of the Recycling Committee pointed out that the average resident should have more recycling than refuse. There was an additional discussion on mandatory recycling.

Chairman Nichols made the following suggestions on how to handle the topic of wanting a different size cart than 64 gallon. One the list should be generated and given to Public Works with all the properties that will be receiving a cart. We need to be notified by a certain date if you would like a size other than 64 gallon. He would also ask the Recycling Committee to help get the word out possibly in the paper, website, or channel 22. The Recycling Committee shared some information about what they have come up with in the way of a flyer and ideas on how to get the information out. They discussed the flyer in further detail with some input from the Board.

They discussed the timeframe and how starting July 1st the Town will be picking up recycling in the same manner that Waste Management currently does. It was also brought up how some people will have to purchase the carts themselves and Mr. Welch has suggested that these people be notified by mail letting them know this information. This will mainly be business owners and it will be important that they know how much the carts cost and let the Town know how many they would like. They also discussed that as of July 1st the current trucks will be retro fitted to pick up the carts. Chairman Nichols would suggest that the new trucks not be used until the majority of the properties have received the new carts.

It was reiterated that the carts need to be ordered by June 28 and Mr. Welch will work out on the details as to when the orders must be placed with the Town.

Mr. Znoj wants to know what happens when someone does not like the size of cart they receive and want to change sizes. Mr. Richardson shared some information on this in other communities and it is recommended that everyone be made to try out the size cart they have for six months at which time if they are still not happy we will find a way to swap sizes for them. Mr. Welch agrees that this is the way to handle this situation. Mr. Richardson added that the people he spoke to today said that the 64 gallons are working in their communities. There was a discussion on the number of carts that they will be ordering and some flexibility on size. Chairman Nichols questioned whether we could make a partial order and then a second order. Mr. Pierce questioned what happens if someone claims that they did not receive their carts. Mr. Welch stated that there would be two people delivering these so there are two witnesses so this should not be a problem.

They also discussed how businesses would go about placing orders.

In summary Mr. Welch will confirm the correct number to call to place orders for carts, if someone wants a different size cart other than 64 gallon and this information will be provided to the Recycling Committee to be placed on the flyer they are working on. The information will be on the website. Mr. Richardson also discussed how the routes would be done.

Recycling Policy Decisions – moved up from Old Business

The first item is Kings Highway Trailer Park and the fact that this is private property. Chairman Nichols explained the reasons given for not being able to pick up trash at this location. Mr. Welch explained that there are about 200 units and it is not possible for the armed trucks to get in there and pick up this trash. The only way it could be done is by hand with the old trucks. There was a discussion on if there are any legal issues involved which the Town Attorney would have to look into. Mr. Griffin feels that if they do not fit into the new system than we should not pick up this trash. Chairman Nichols believes that if we are not going to be picking up this trash they should be notified immediately. Mr. Znoj would like to know the legal ramifications. Chairman Nichols would like to defer any decisions about going onto private property until the Board has a legal opinion. There was a discussion on whether or not the carts can be put out on the road.

The second and third items have been discussed in regards to the size of carts and distribution.

The fourth item is Taylor River Estates, which again is a private road. Mr. Znoj wonders if there is something in their condominium docs saying they have to handle their own trash. Chairman Nichols has done some research on this and it is not a clear answer. The Town Attorney will need to investigate this before the Board makes any decisions. Mr. Griffin commented that Taylor River has been in here many times and this will not be taken lightly. Mr. Richardson commented that if we do continue to pick up it should be placed in the same manner as it is now.

The fifth item has to do with the many businesses that we currently pick up on Route 1 and we enter onto private property to do so. This is another issue that the Board will wait to hear back from Atty. Gearreald.

The sixth item is the condominiums located at the end of Kings Hwy and Winnacunnet Road. The recycling carts can be placed on Winnacunnet Road. The Town does not pick up trash at this location only recycling. This is a private property issue for later.

The seventh and final item is the Catholic School and Church, which again is a private property issue. Mr. Richardson added the Methodist Church to this item. Chairman Nichols reiterated the need to wait and here from Atty. Gearreald before the Board makes a decision on any of these items. Mr. Griffin stated that it would be hard to take away something from someone who has been receiving this service for 20 years.

Mr. Richardson would like to add some concerns that he has received from year round renters down on some of the letter streets at the beach. They would like to receive carts at these locations at no charge.

Mr. Richardson commented that both he and Mr. Sharpe believe that this will work it will just take some time.

Mr. Znoj asked Mr. Sharpe what his opinion is on the size of carts. Mr. Sharpe stated that he believes the majority of the people will want a 64-gallon cart.

The Recycling Committee reminded everyone of the need to get the information out in a timely manner.

IV. Minutes of May 02, 2011

Mr. Lally MOTIONED to Approve the Minutes of May 02, 2011. Mr. Znoj SECONDED.

VOTE: 4-0-0
(Selectmen Pierce not present)

Minutes of May 16, 2011

Page 3, second to last sentence, add the following after the word "this" "and the Board agree to implement the parking recommendations."

Mr. Znoj MOTIONED to Approve the Minutes of May 16, 2011 as amended. Mr. Griffin SECONDED.

VOTE: 4-0-0
(Selectmen Pierce not present)

Minutes of May 23, 2011

Page 2, third paragraph from the bottom, and change the percentage number of "120%" to "125%"

Page 8, third paragraph from the top, add before the word squirreling "the allegations of."

Mr. Pierce MOTIONED to Approve the Minutes of May 23, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 4-0-0
(Selectmen Griffin not present)

Minutes of May 24, 2011 – Public

Mr. Lally MOTIONED to Approve the Minutes of May 24, 2011. Mr. Znoj SECONDED.

VOTE: 4-0-0

(Selectmen Griffin not present)

Minutes of May 24, 2011 – Non-Public Session

Mr. Lally MOTIONED to Approve the Minutes of May 24, 2011. Mr. Znoj SECONDED.

VOTE: 4-0-0
(Selectmen Griffin not present)

Minutes of May 30, 2011

Mr. Griffin MOTIONED to Approve the Minutes of May 30, 2011. Mr. Lally SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

The bids have closed for the sale of our surplus fire engine. No bids were received for the sale of this equipment. What is the Boards pleasure? Would like us to rebid? Would like us to lower the minimum sale price currently at $20,000? Or take another action?

Discussion

Mr. Znoj would like to keep the pumper. Mr. Welch clarified that the Fire Chief is not in favor of keeping this truck.

Chairman Nichols MOTIONED to lower the minimum amount to be determined by the Chief and rebid. Mr. Lally SECONDED.

VOTE: 4-1-0 (Znoj)

The Town has received a resignation from the Heritage Commission; anyone interested in serving on the Commission is requested to contact the Selectmen's Office.

The Town was not awarded a grant under FEMA Firefighters Grant Program. There were 16,200 applicants and funding was not sufficient to allow awards given the demand.

There will be a demonstration of proper procedures to be used in the cleaning of gravestones at 9AM on June 11th at the Pine Grave Cemetery.

We continue to have positions available on the Highway Safety Committee, the Insurance Advisory Committee, and the Heritage Commission. Persons interested in serving should contact the Selectmen's Office.

Please remember that Tuesday June 14th is Flag Day please celebrate in an appropriate manner with respect to our flag.

Update on the Hampton Beach State Park Development Project. Provided the Board with the update he has received from DRED. It is believed that they might be done early.

The reason the flags are still at half-staff is for former Governor Walter Peterson who passed away.

There is a collection of clothing for boys and girls in grades K thru eighth. There are collections boxes at the Town Hall and area schools.

We have received a request from M-Pire, LLC dba Beachside Restaurant to waive the 15-day waiting period with the State so they can proceed with the process of getting their license.

Mr. Znoj MOTIONED to waive the 15-day waiting period for M-Pire, LLC dba Beachside Restaurant. Mr. Pierce SECONDED.

VOTE: 5-0-0

There will be a link on the Town website for interested vendors at the Seafood Festival.

Questions for Manager

Mr. Griffin asked about the people who are moving from Coconutz down to where Lupo's was located. He expressed the need to work with these individuals in regards to the agreement with parking.

Chairman Nichols asked about the one bid received for the recycling transport. Mr. Welch explained that this is something that he is working on with counsel since there is an opportunity to keep the current vendor.

Chairman Nichols brought up the many problems we have had with the sidewalk plow. There is a memo from Atty. Gearreald that there is not much to do since there is no record of the many repairs that have been done. Mr. Welch has since instructed DPW that a logbook must be kept on every vehicle. Chairman Nichols pointed out that the vendor is willing to extend the warranty. There was a discussion on extended warranties on things like the sidewalk plow.

Mr. Znoj asked about the tripping accident at the Transfer Station. He wonders if anything has been done to prevent accidents like this in the future. Mr. Welch stated that there is not really anything to do that it was just an accident.

There was a discussion about the representatives to the Rockingham Planning Commission.

Mr. Znoj brought up the confusion on dates from LGC in regards to applying for ERRP grant program.

VI. Old Business

1. Recycling Policy Decisions – discussed under appointments
2. 375 Commission Appointment

Chairman Nichols explained that the Board has the responsibility to appoint two people to the 375th Commission. The three people expressing interest are Reverend Knowlton, Dick Desrosiers, and Arthur Moody. Chairman Nichols commented that we have three very qualified individuals.

Discussion

Mr. Griffin asked how the request came in. Dick Desrosiers came in May 31, on June 2nd Reverend Knowlton and Arthur Moody on June 3rd. He would suggest appointing the first two that came in.

Chairman Nichols has spoken with the School District and they will be happy to nominate the third individual since they have two appointments.

Mr. Lally MOTIONED to Appoint Dick Desrosiers and Reverend Knowlton to the 375 Commission as Selectmen appointees and that the Board request that Arthur Moody be appointed as the School Board appointee. Mr. Znoj SECONDED.

VOTE: 4-0-1(Griffin)

VII. New Business

1. Donation of Old Fire Department Log Book to Hampton Historical Society

Chairman Nichols asked if anyone would like to comment.

Mr. Pierce MOTIONED to approve the donation of Old Fire Department Logbook to Hampton Historical Society. Chairman Nichols SECONDED.

VOTE: 4-0-1(Griffin)

Discussion

Mr. Znoj wonders if the Town has any policies in regards to past records. Mr. Welch referenced statutes stating after a certain number of years records can be disposed off. He also confirmed that there is no law stating that the Town cannot dispose of this logbook.

Mr. Lally pointed out that there is fire memorabilia at the Historical Society.

Mr. Welch stated that the Board could have the Records Committee set time limits greater than required by statute. He also provided the Board with a breakdown of the members of this committee.

VIII. Consent Agenda

1. One Day Entertainment License – Newman Wedding Reception 07/15/11
2. Use of Public Park & Beach Properties – Ruth Stimson Park "Reagan & Murphy Wedding" 06/18/2011
3. Solicitation Permit – Team Rack and Roll "Susan G. Korman, 3-day for the Cure" 06/25/11
4. Raffle Permit "Safer" 06/30/2011
5. Dance Hall Permit & two Pool Tables "Wally's Pub" 144 Ashworth Avenue
6. Abatements: Map 304/35 Campton St; Map 175-8/340 Lafayette Rd, Bldgs 1-5; Map 108-59, 126-2, 126-3/698 Lafayette Rd, Bldgs 1-7; Map 287-36/19 F St; Map 290-3/10 G St; Map 267-17/39 Dumas Ave; Map 265-39/40 Fuller Acres; Map 69-17/5 Stowcroft Dr; Map 211-4-1/795 Ocean Blvd; Map 282-89/3 Battcock Ave; Map 290-1A, 2, 3, 4, 5, 6, 7 & 8/89 Ashworth Ave; Map 290-33 39 Hobson Ave; Map 267-27/43 Dumas Ave; Map 197-12-1/833 Ocean Blvd; Map 97-8/8 Linden Ln; Map 267-43/30 Cliff Ave; Map 267-45/34 Cliff Ave; Map 189-6/51 Drakeside Rd; Map 7-4-2/3 Cassie Ln

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

VOTE: 5-0-0

IX. Closing Comments – None

X. Adjournment

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

VOTE: 5-0-0

Chairman

Town of Hampton

AGENDA
Board of Selectmen
June 06, 2011

Location: Selectmen's Room – Town Offices
Posted: Town Offices, Library, Beach Fire Station

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

II. Announcements and Community Calendar

III. Appointments

1. Ed Tinker – Assessing
   a. Abatements
2. Brian McCain, Cable Committee
   a. Unused Video Equipment
3. Bill Christian
   a. Request posting of speed limit 25 mph on Landing Road – South
4. Art Gopalan, Hampton Art Network (HAN)
   a. Sponsorship of the HAN Art Display at the Town Offices
5. Mark Richardson & Ryan Sharpe, DPW & Recycling Committee
   a. Recycling Program

IV. Minutes of May 02, May 16, May 23, May 24, and May 30

V. Town Manager's Report

1. Bid for Surplus Fire Engine
2. Resignation from the Heritage Commission
3. FEMA Firefighters Grant Program
4. Demonstration – Cleaning of gravestones at the Pine Grave Cemetery.
5. Vacancies: Highway Safety, Insurance Advisory and Heritage Commission
6. Flag Day – Tuesday June 14th
7. Update on the Hampton Beach State Park Development Project

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

VI. Old Business

1. Recycling Policy Decisions
2. 375 Commission Appointment

VII. New Business

1. Donation of Old Fire Department Log Book to Hampton Historical Society

VIII. Consent Agenda

1. One Day Entertainment License – Newman Wedding Reception 07/15/11
2. Use of Public Park & Beach Properties – Ruth Stimson Park "Reagan & Murphy Wedding" 06/18/2011
3. Solicitation Permit – Team Rack and Roll "Susan G. Korman, 3-day for the Cure" 06/25/11
4. Raffle Permit "Safer" 06/30/2011
5. Dance Hall Permit & two Pool Tables "Wally's Pub" 144 Ashworth Avenue
6. Abatements: Map 304/35 Campton St; Map 175-8/340 Lafayette Rd, Bldgs 1-5; Map 108-59, 126-2, 126-3/698 Lafayette Rd, Bldgs 1-7; Map 287-36/19 F St; Map 290-3/10 G St; Map 267-17/39 Dumas Ave; Map 265-39/40 Fuller Acres; Map 69-17/5 Stowcroft Dr; Map 211-4-1/795 Ocean Blvd; Map 282-89/3 Battcock Ave; Map 290-1A, 2, 3, 4, 5, 6, 7 & 8/89 Ashworth Ave; Map 290-33 39 Hobson Ave; Map 267-27/43 Dumas Ave; Map 197-12-1/833 Ocean Blvd; Map 97-8/8 Linden Ln; Map 267-43/30 Cliff Ave; Map 267-45/34 Cliff Ave; Map 189-6/51 Drakeside Rd; Map 7-4-2/3 Cassie Ln

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**

NOTE: Agenda items, requests for appointments to appear before the Board of Selectmen and/or submissions requiring action by the Board of Selectmen must be received by the Town Manager's Office in writing, no later than 5:00 PM on the Wednesday prior to the requested meeting date. All items, appointment requests and/or submissions requiring action by the Board of Selectmen are subject to confirmation by the Chairman. For more information, please stop by or call the Town Manager's Office at 603-929-5908.