Hampton Board of Selectmen
June 13, 2011 Minutes

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

Arthur Moody would like to follow up on the Board's decision of last week to donate the old fire alarm logbook and would like to know if the Board found out if this could legally be done.

Chairman Nichols commented that Mr. Welch provided them with the necessary information and a vote was taken last week. Mr. Moody suggested that they may want to seek a legal opinion before making the donation. He also brought up the appointees to the 375th Commission and some clarifications on how the minutes read. Chairman Nichols reiterated that he has spoken with Rosemary Lamers (Chairman of the School Board) and she has agreed to appoint Arthur Moody to the Commission and they are still looking for a second appointee.

Mr. Moody brought up what he believed to be the Boards new policy about appointing members on a first come basis to committees. It was explained that this is not the policy of the Board but instead a suggestion on how to handle the appointments of the three qualified individuals for the 375th Commission. He also brought up North Hampton tying into the Town's sewer. He shared some history on Sun Valley and Rye. He warned the Board to be careful in dealing with North Hampton and sewer.

Mary Louise Woolsey agrees with Arthur in regards to North Hampton. She brought up the manner in which the information was posted under "Public Notices" for the Selectmen meeting on Memorial Day. She shared information on the difficulty she had finding out information on why there was going to be meeting and the two topics to be discussed, which were grant funds and contracts. She feels that this was a really poor way to inform the public of a meeting.

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Chairman Nichols agreed with her and explained what went on in regards to how things were posted. He also clarified that the only thing that took place at the meeting, which lasted about 15 seconds was the Board authorized Mr. Welch to sign some grant applications for Police. She also expressed that there was not a need for the Board to post that they were going to be attending the Budget Committee meeting.

Dick Schuck, Boston Ave, owns three properties with seven cottages. Thanked Mr. Griffin for responding to questions he have had on trash/recycling. He asked if there are trash/recycling policies currently in place. It was explained to him that this is an item on the agenda and will be discussed later.

Charlie Preston asked about the MOU with DRED on the agenda. Chairman Nichols explained that this is simply going to be an update on what has transpired thus far. There have been two meetings and updates will be provided. Mr. Preston commented on how long he has been waiting for a MOU with the State. He commented on the great things that are being done at the beach.

II. Announcements and Community Calendar

Mr. Griffin read a letter to the editor about a great field trip taken to the Hampton Historical Society. The Tuck Museum is open this summer on Wednesday, Friday, and Sunday from 1 to 4 or by appointment.

Mr. Pierce informed the public that Hampton Arts Network now has artwork hanging in the Town Office.

Mr. Znoj brought up a two-day event recently held at Lake George. One of the members of the teams that participated was Public Works employee Mike Carle. Mr. Znoj went on to provide further details on the event and what took place. The seacoast team won first place out of 9 teams.

Mr. Griffin announced the Pig Roast on Labor Day Weekend at the Historical Society.

III. Appointments

1. Charles Hayden – Sun Valley Beach

Mr. Hayden expressed some concerns he has with the fact that this Town Beach is nowhere to be found in the beautification project happening at Hampton Beach. He commented on the many problems on this beach including the deterioration of the beach. He shared how they used to have 100ft of beach at high tide and they now have 8 or 9ft. He is here to ask if another dredging and reseeding of this beach is in the plans.

Discussion

Chairman Nichols does not think that this is in the plan.

2. DPW Director Keith Noyes and Deputy Director Chris Jacobs

Chairman Nichols announced that we have a new Director and Deputy Director for Public Works and invited them forward to introduce themselves.

Mr. Noyes provided the Board with some information on his background including that he is a native to Seacoast NH and his work history. He thanked the Board for giving him the opportunity to serve the Town of Hampton and is happy to be back in a field that he loves.

He shared that today he met with many of the employees at Public Works and is excited to have Chris Jacobs on board as his Deputy Director. The things he sees important at this time are getting the recycling program off, addressing drainage problems, implementing a road paving program, improving employee morale and community relations, facilitate required improvements to the WWTP and develop a lean but adequate budget. He shared a meeting that he and Mr. Jacobs had today and they agreed on which areas they would each focus on. Mr. Jacobs's main focus will be overseeing the road program, drainage and the WWTP improvements. Mr. Noyes main focus will be on developing the recycling program, the employee morale and community relations and developing of the budget and capital improvement program. He is confident that they are on the right track. He does understand that there are many other things that they will be working on.

Mr. Jacobs thanked the Board for allowing him to work for Hampton and provided some information about his education and work history. He commented that it is going to be a real pleasure to work with Mr. Noyes since they are cut from the same cloth of engineers. He reiterated that his main focus to start will be with road improvements, drainage which he has a lot of experience and WWTP operational issues. He is excited to be here and looking forward to working in Hampton.

Discussion

Mr. Lally welcomed them aboard and commented on the wonderful team they have down there. Mr. Noyes stated that he has plans to have a staff meeting on Wednesday and a Department wide meeting later this week to introduce himself and Mr. Jacobs. He also hopes to find time to meet each employee one on one.

Mr. Griffin welcomed them aboard and asked if the discussion on the recycling pickup plan could be moved forward.

Chairman Nichols stated that he planned to move the Trash and Recycling Policies forward to this part of the meeting. He explained that there were a couple of decisions the Board was asked to make; one of which has to do with; do we continue to pick up trash in one location and not another. He shared some of the problems he has with making these types of decisions. At this point, he would suggest that we address the same locations that Waste Management currently does for the Town through the summer. This is not to include areas that are covered under a private contract with Waste Management. By the end of September, he would like to see a plan from the DPW Department and he does not feel that a Selectmen's meeting is the right place to be beating this up. The last suggestion would be that adequate notice be given to any individuals that the changes may affect.

Mr. Griffin thinks that everyone is going to have input to give and he thinks it will be interesting to see what these two fresh minds have to add.

Mr. Noyes shared information on how he played an instrumental part in starting a curbside recycling program in Exeter. He shared some information on problems they faced with entering onto private property such as condominium associations. He thinks that you have to be persistent and take one bite at a time. Mr. Noyes also pointed out that he did attend the Recycling Committee meeting today. Mr. Griffin commented on how Hampton is a unique community and the real need to keep the beach clean.

There was a consensus amongst the Board to keep everything status quo in regards to trash/recycling pickup through the summer and have some sort of plan in place by the end of September.

Mr. Znoj brought up a flyer that the Recycling Committee has been working on which will include information on the different size carts and how to go about ordering a different size. As a default, two 64-gallon carts will be delivered. Mr. Znoj clarified with the Board that single family, two families and condexes will each be given two carts free. Anyone else who currently has trash/recycling picked up by the Town will have to purchase the carts from the Town and place the order for the size they would like. The flyers will be sent out this week and posted around Town.

3. Chief Sullivan – Mounted Patrol

Chief Sullivan here tonight to seek Boards approval to retire Police Horse Arrow and allow a purchase by the Friends of the Mounted Patrol of a new horse. Chief Sullivan is looking for a motion allowing him to retire Arrow and to find him an appropriate home. Second motion to allow the donation of the second horse from the Hampton Friends of the Mounted Patrol.

Discussion

Mr. Lally commented that he is in support of this since Mr. Pelletier a retired member of the Police Force who has been working closely with the Mounted Patrol unit for many years is recommending it.

Mr. Znoj questioned further training cost involved with this new horse. Chief Sullivan does not anticipate any additional cost involved with this change in horses.

Mr. Lally MOTIONED to APPROVE the retiring of Arrow and finding him an appropriate home and to accept the donation of a second horse from the Hampton Friends of the Mounted Patrol. Mr. Pierce SECONDED.

VOTE: 5-0-0

4. Michael Schwotzer

   a. May Financial Statements

Mr. Schwotzer read his statement to the Board including: target 41.7%, Motor Vehicle income at $268k, income now less than 1% below target, interest on taxes at $23k, Building Permits at $12k, Departmental income at $60k, Parking Lots at $8k and Real Estate Trust Fund at $44k. His report is posted on the Town's website.

The Expense summary shows at the end of May the operating departments were 38.9% of the budget (without debt service) which is below the month's target of 41.7%. The majority of the departments are below the target level and do not have any major issues. In Personnel Administration, $122k was booked to the Employee Separation Costs account in May because of three members of the Fire Department deciding to retire. He also commented on Municipal Insurance, Police Department, Vehicle Replacement, Fire Department, FD OT Expense, Highways & Streets, Public Works, Municipal Sanitation, Mosquito Control, Capital Outlays-vehicles account, PO analysis, Fund 24 in Recreation and Fund 27 EMS. He also provided information on the donations received for the skateboard park.

Mr. Schwotzer provided the Board with answers to questions asked by Chairman Nichols and Mr. Znoj.

Chairman Nichols asked about Personnel Administration, Medical Insurance and training in Police. Mr. Znoj commented on overtime and fuel cost, compost sales at DPW, employee separation cost, workmen's compensation, vehicle replacement in Police Department, special details internal, part time wages at WWTP and WWTP maintenance account number.

Discussion

Mr. Pierce asked about the return rate on the bills that go out for the EMS fund. Mr. Schwotzer explained how he accounts for this number each month and how the number is calculated.

There was a discussion amongst the Board about some of the drivers involved with worker's comp claims and rates involved. Mr. Znoj would like to look into the causes of some of these claims to see if there is anything that can be done to prevent the claims.

The Board discussed the special details internal, which include details for Public Works and Voting. This line item has historically been budgeted at zero dollars but always has dollars spent.

Mr. Schwotzer pointed out how the Town must follow the account numbers setup by the DRA.

Mr. Pierce asked about $57,000 expenditure in drainage construction, which Mr. Schwotzer explained has to do with culverts over Woodland Road, that money was encumbered from last year.

Mr. Znoj would like to think that we will start to work on some roads, drains, and sidewalks since the money has been approved. He would like this work to be done and not encumbered.

b. Possible advance funding of uncompensated absences

Chairman Nichols has asked Mr. Schwotzer to cover this tonight. It is his understanding that right now the current liability is about $1.2M. It is currently being addressed as a pay as you go manner and there is a real exposure involved with this approach. Chairman Nichols shared for the Board the risk involved with this type of an exposure. One alternative is a compensated absence fund.

Mr. Schwotzer provided the Board with a quick analysis. He gave a run down on some of the larger balances carried by some employees. In 2009, a warrant article was passed to set up a compensated leave trust fund. At that time, it was the intention to fund this account with any money left over in the budget and this has not been done although the vehicle is available. Chairman Nichols clarified that we have the ability to take some of the Undesignated Fund Balance and move it into the Compensated Absence Fund. This would allow the Town to fund retirements out of this account as opposed to the Operating Budget.

Discussion

Mr. Lally and Mr. Znoj both agree that this is a good idea.

Chairman Nichols thinks that if there is a consensus amongst the Board that this is a good idea than Mr. Schwotzer can spend some time this summer working on some numbers for this.

There was a discussion on how an amount would be calculated to use for this Fund. Mr. Pierce expressed the importance of coming up with a reasonable amount.

Mr. Znoj wonders if this would eliminate the Employee Separation Cost and it is not believed at this time that this line item would go away.

There was a consensus amongst the Board that this is a good idea and Mr. Schwotzer was asked to come back to the Board sometime this summer with an amount that could be set aside in this account.

c. Discussion of current level in Undesignated Fund Balance

Chairman Nichols explained that several Budget Committee members have expressed concern with the amount of money in this fund. At the end of 2010, the amount in this account is just under $5M. The recommend level ranges from 5% to 17% of total appropriations. For Hampton this would translate to between $2.7M and $9M. This puts us at about the midpoint of the range. This has been used over the past couple of years to maintain a flat tax rate, fund the Salt Shed and DPW Capital Reserve. The Budget Committee would like the Board to set a maximum target amount that the Town would not go beyond. Chairman Nichols does not think that this is that simple. He shared his reasons why. He thinks this is something that needs to be looked at each year before Mr. Schwotzer goes to DRA. The decision is dynamic and changes year to year. Chairman Nichols explained since he and Mr. Schwotzer were approached with this idea at the Budget Committee meeting there should be some sort of dialogue amongst this Board.

Discussion

Mr. Znoj likes the idea of the $5M especially with things that are happening at the State level. We need to protect ourselves from down shifting. He also likes having this for capital projects and a flat tax rate. He thinks this shows fiscal responsibility.

Chairman Nichols thinks that a stable level of taxes is important. He would like to know if there is a consensus amongst the Board that this is an amount that should be discussed on a yearly basis.

Mr. Lally agrees with Mr. Znoj for the reasons he gave. This should be reviewed in October every year.

Mr. Pierce commented that the Town spends roughly $2M a month and having a little set aside for unexpected items is a good idea. He agrees with Chairman Nichols that this is something that should be looked at on a yearly basis.

There was an additional discussion on how money can be removed from the Undesignated Fund Balance.

d. Confirmation of preliminary Budget discussion – 06/27 BOS meeting

Chairman Nichols explained that Mr. Schwotzer has suggested that the Board have a general discussion on what they are looking to see in next year's budget at their next meeting on June 27th. Chairman Nichols brought up a suggestion made by the Budget Committee to move a

number of items into the budget, which includes mosquito control, mounted patrol and social service articles. This could conceivably amount to over $350,000. Chairman Nichols concern with this is duplication in budget and warrant article and how to pay for these items if the Operating Budget does not pass. He would suggest inviting two or three of the Budget Committee members to the meeting on June 27th.

Discussion

The Board agreed that Mr. Pierce should contact the Chair of the Budget Committee and extend this invitation to attend the June 27th meeting.

IV. Acting Town Manager's Report

Mr. Schwotzer has the MS-5 report, which mirrors the audit report and is prepared by the auditors.

Mr. Lally MOTIONED to approve the certification of the MS-5. Mr. Znoj SECONDED.

VOTE: 5-0-0

Mr. Schwotzer received today the preliminary Dog Warrant from the Town Clerk, which he provided to the Board.

V. Old Business

1. Trash and Recycling Policies – Discussed above

Other Old Business

Mr. Znoj commented on the amount of dog waste along the wall at North Beach.

Mr. Pierce shared some information on drainage and a walk that he took with Jay Diener and Rayann Dionne.

VI. New Business

1. North Hampton State Beach connection to Hampton WWTP

Chairman Nichols, Atty. Gearreald, and Mr. Welch attended a meeting on this last week. To do this there would need to be two agreements one with Rye to connect with Rye and another between the State and Hampton which would require voter approval. The impact would be minimal and is equivalent to the flow of one or two homes. The Town would charge the State in the same manner as we do Rye. What we are looking for is whether the Board would be willing to have a Selectmen sponsored warrant article for this.

Discussion

Mr. Znoj would not have a problem with this and we should be a good neighbor.

The rest of the Board agreed that they have no problem with this.

2. Comcast 6 month extension of cable agreement

Atty. Gearreald explained that the contract expired in 2010 and since then we have been operating under a number of extensions. They have been working on a contract over this time with Comcast. Another 6-month extension has been requested.

Discussion

Chairman Nichols commented that we do not really have much of a choice. Mr. Lally agreed.

Mr. Pierce expressed frustrations with Comcast in general and this ongoing issue.

Mr. Pierce MOTIONED to APPROVE the Comcast 6 month extension of cable agreement. Mr. Lally SECONDED.

VOTE: 5-0-0

3. Memorandum of Understanding with DRED State Parks Division.

Chairman Nichols put this on just to provide the Board with an update. Chairman Nichols shared information on the meetings they have attended and a list of issues that Mr. Welch has come up with. DRED has been made aware of the Town's intentions to charge for transportation of trash and the State Parks impact on the WWTP. Other than this, we wish to remain status quo with other items such as trash pickup and the ATV use on the beach. Mr. Welch and Atty. Gearreald will be working on the first draft of the MOU. The draft will come to the Board first and then off to DRED. The draft is expected to be ready in the first or second week of July.

Discussion

Mr. Znoj expressed concern with the fact that the State is going be done with the budget process by July.

Other New Business

Mr. Znoj commented that the Board has not received a report from Public Works on recycling percentages as they were receiving in the past. Chairman Nichols will look into this.

VII. Consent Agenda

1. Dance Hall Permit "Hampton Beach Ballroom" 169 Ocean Blvd
2. Solicitation Permit (2) Paralyzed Veterans of America, I-95 Liquor Stores

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

VOTE: 5-0-0

VIII. Closing Comments

Mr. Griffin commented on the flyer from the Recycling Committee and the need for the font size at the bottom to be increased for "Stay tuned for more information."

IX. 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 13, 2011

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

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

II. Announcements and Community Calendar

III. Appointments

1. Charles Hayden – Sun Valley Beach
2. DPW Director Keith Noyes and Deputy Director Chris Jacobs
3. Chief Sullivan – Mounted Patrol
4. Michael Schwotzer
   a. May Financial Statements
   b. Possible advance funding of uncompensated absences
   c. Discussion of current level in Undesignated Fund Balance
   d. Confirmation of preliminary Budget discussion – 05/27 BOS meeting

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1. Trash and Recycling Policies

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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

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