

Town of Hampton



Hampton Board of Selectmen June 27, 2011 Minutes

PRESENT: Richard Nichols, Chairman
William Lally, Vice-Chairman
Richard Griffin, Selectmen
Gerald Znoj, Selectmen
Michael Pierce, Selectmen
Fred Welch, 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, 3 Thomsen Road, would like to know about the negotiations with the State Parks and wonders why the meetings are not public.

Chairman Nichols commented on the meetings they have had and who attended. He added that Mr. Welch and Atty. Gearreald are working on a first draft of a MOU. The MOU will contain information on remaining status quo and two additional items one being charging the State for the tipping fees/transportation on the trash that comes off the beach and the cost of the impact on the WWTP. Mr. Welch added that they are about 50% done with the MOU. There was a further discussion on whether or not the meetings and the MOU should be made public. Mr. Moody provided some history on agreements between the State and the Town over the past. Mr. Welch commented that he has researched through the State and there is no record of any signed agreements/MOU's between the Town and the State. Mr. Moody also brought up a vacancy on the Trustees of the Trust Funds.

Chairman Nichols commented that many of the public in the audience tonight are probably interested in the Trash/Recycling Pickup. He would like to suggest that the agenda item on Trash/Recycling policies be moved forward and discussed followed by the public being able to comment.

1. Recycling and Trash Pick-up Policies

Mr. Welch explained that he, Mr. Noyes, and others at DPW have worked very hard over the past week reviewing these policies. He will let Mr. Noyes discuss this further but to sum it up in a few words; if you are currently having your trash picked up by the Town you will

have both your trash and recycling picked up by the Town.

Mr. Noyes read the following prepared statement for the Board and public.

Good evening

Over the past two weeks, we have been focusing on tying up loose ends and putting the final touches on implementing changes to the Town's solid waste and recycling collection programs, which become effective this Friday, July 1st, in accordance with article 8 of the 2011 town warrant.

The warrant article that was approved by the voters permitted the collection of solid wastes and recyclable materials in-house by the department of public works and authorized the funding for the purchase of equipment and vehicles to operate the program.

In addition, the warrant article authorized the purchase of refuse and recycling containers for distribution to single and two family residential locations currently receiving refuse and recycling collection.

The warrant article also allows commercial locations to purchase recycling and refuse containers at the Town's rate.

It is the intention of the Town to continue to provide solid waste and recycling service to residents and business's that the Town has been historically providing.

The Town understands there is a perception among a few people that the Town has been paying for recycling services at some private condominium developments that do not receive Town solid waste service and therefore should provide service to these locations. We do know that some developments have been receiving recycling services. For those that have been serviced by the Waste Management Company they have assured us that they will not abruptly stop providing recycling services.

Upon review of past practice, communications with the present recycling vendor, past bidding parameters and contracts the Town does not believe it has been paying for these services. We are meeting with top officials from Waste Management tomorrow morning to discuss and clarify this issue.

As it stands, the plan is for the Town to continue to pay for and provide recycling service to all residences and business's that the Town historically has provided and paid for these services.

As with the initiation of any new program, we anticipate there will be bumps in the road as we move forward. The Town is committed to do everything we can to ensure the program's success at the least possible cost.

We ask residents patience and understanding as we enter this new chapter in Hampton's history. We encourage any resident who has questions, concerns, or recommendations to call the Public Works Department at 926-3202. Thank you.

Chairman Nichols commented that he thinks there is a misconception in that the Town has been paying Waste Management to pick up recycling from condominiums for a number of years. Some of the names that have come up are Hampton Meadows, Salt Meadows, Riverwalk, and Dunvegan Woods. He assumes that many of the people present tonight cannot find anywhere in there condominium documents showing that they are paying for this

service. He explained how the Town's contract with Waste Management going back to 2002 has been reviewed by himself, Mr. Welch, Atty. Gearreald and Mr. Noyes. There was nothing in these documents showing that the Town has been paying Waste Management for the recycling services provided to these condominium associations. He also commented on the meeting tomorrow with Waste Management to review these documents and clarify this issue.

Mr. Welch explained that he has read the condominium documents of four main condominium associations in Hampton and their plan documents. Provisions for the handling of solid waste internally by the condominiums was required by the Planning Board before approval of these developments could occur. He provided the information that he found in each association's condominium documents for the provisions for solid waste removal and Hampton Meadows, and Riverwalk's warrant petitions for the Town to collect their solid waste were turned down by Town meeting vote (1991). The only documents that he did not find reference to for how solid waste would be handled were the documents for Dunvegan Woods; however, Dunvegan Woods does pay for their solid waste removal. He explained how the Town must follow the information in the plan documents.

Chairman Nichols clarified with the audience that the only vendor being used by those present is Waste Management. His suggestion would be that after they have the meeting tomorrow morning that representatives from these condominium associations meet with the Town Manager and himself to fill in some of the details.

Discussion

Vic Lessard just wants to clarify that the Town will continue to pick up from the Church's. If the Town currently picks up, they will continue. Mr. Lessard also clarified that if anyone currently has their own barrels from either Waste Management or somewhere else as long as they have the bar in front like the ones in the Town Office they can be used. He also strongly recommends that the Town keep the old trucks as back up. That is the plan at this time.

Ray Weaving, president of Hampton Meadows, expressed that their concern is not with trash since they have been paying Waste Management but instead with the recycling pick-up. They have worked out a contract with Waste Management as of today to have their recycling picked up. The issue is that the residents of Hampton Meadows have is that they feel that the Town is taking away a service from them that they use to have. He commented on the amount they pay in taxes and if they are losing something, they should get something in return such as tax abatement.

Robert Jackson, 45 Exeter Road, expressed his concern with being disqualified since he has three rental units and he feels he is being discriminated because of the number of units he owns.

Mr. Griffin commented that that is the case as that was the way that the warrant article was written. He also expressed how some Town's make all the residents pay for their barrels and that the warrant article should have been written to have all pay for the barrels. Mr. Znoj did confirm that the Town would still pick-up those who have had trash and recycling pick-up by the Town. There were some additional suggestions made on the size of carts to be ordered.

Discussion about the Deliberative Session when this article was discussed; which is attended by only one percent of the voting population; that is when the residents should have been present to discuss their concerns on this issue.

Steve Miller, Edgewood Drive. Mr. Miller spoke on behalf of Hampton Meadows and Riverwalk. He reiterated Mr. Weaving's comments and that the biggest issue is that a precedence has been set and now something is being taken away from these residents. There are Town's that provide abatements for residents in this situation.

Kreon Cyros, 100 Hampton Meadows, would like to point out the inconsistencies amongst things in Town. He provided several examples of some roads that receive services and those that do not.

Mr. Lally pointed out that Malek Circle is a Public Road and the examples the Mr. Cyros provided are between private and public roads. Mr. Cyros would like to see the residents of Hampton Meadows get the same services in return for their taxes.

Mr. Znoj pointed out that Mr. Welch has reviewed the condominium documents and it is explicit stated in the documents that Hampton Meadows is responsible for their own trash pickup. Mr. Znoj stated he read his own deed and plans before purchasing his home, he knew what he was responsible for. Mr. Welch provided a copy of the plan document for Hampton Meadows to Steve Miller.

Mr. Griffin brought up Taylor River Estates and a question that came up on the location of their trash/recycling. It was explained that residents in this area will now be putting their trash/recycling in front of their unit.

Chairman Nichols would like to comment on some of the issues brought up tonight. One of the most important one is the issue of fairness, which he has given a lot of thought to over the past several years. He shared some information about himself including the fact that he lives on a private road, no plowing service, no mail service, has no trash/recycling pickup, and therefore is sensitive to these concerns. He also shared some history on his past experience with condominium living. He understands the inequities. He discussed taxes, rebates, and concerns with offering additional abatements and the consequences involved. He did ask Mr. Miller to email him the information he has on other communities that offer rebates/abatements for items such as trash/recycling pickup.

II. Appointments

1. Ed Tinker, Assessing Department

a. Property Tax Abatements (Listed under Consent Agenda)

Mr. Tinker presented seven (7) abatements to the Board totaling \$5,428.78.

Discussion

Chairman Nichols thanked Mr. Tinker for the very clear understanding of where we stand as far as a reserve versus the abatements.

Mr. Pierce MOTIONED to approve the s seven (7) seven abatements totaling \$5,428.78. Mr. Znoj SECONDED.

VOTE: 5-0-0

b. 2011 Property Revaluation

Mr. Tinker provided the Board with an information packet. He will be taping with Channel 22 on Wednesday a five to ten minute presentation explaining to the residents the 2011 Property Revaluation, which will be played periodically on Channel 22.

Chairman Nichols asked him to provide the highlights tonight especially in regards to the public hearing process, which Hampton is not familiar with.

Mr. Tinker provided the following on the report: the process they have gone through in regards to revaluations, presenting values to Board for approval, notices on valuation will be sent to the residents sometime in July and types of hearings available to those who disagree with valuation. If someone does not agree with the revaluation, residents can call Vision Appraisal to set up an informal hearing, which can be in person, over the phone or in a letter.

Discussion

Mr. Znoj verified that this will be completed in July and residents should be notified at some point in July.

Chairman Nichols reiterated that it is the goal of the Board to have this done in the summer since that is when the majority of the residents are in Town. He also commented on the fact that this cannot be done until the preliminary valuations are approved.

Chairman Nichols commented on the changes including: in the past residents did not find out the new valuation amount until they received their tax bill, the opportunity now is that you will see the value before the tax bill comes along, very good information on the Vision Appraisal website to educate people before they have a hearing and online website of property values even though they are preliminary values,

Mr. Znoj went through how the new values came about such as drive-bys and walk thru on certain properties. Chairman Nichols added that the comparable sales are based on qualified sales from April 1, 2008 thru March 31, 2011. Three years of comparable sales have been used and there are about 670 of these sales. Every effort is being made to do interior visits on the property sales and targeting about a 60 to 70% success rate at this time for interior visits.

c. PA-28 Form Property Inventory Questionnaire Response

The State is looking for this form to be done. Mr. Tinker explained that the State asks everyone to complete a questionnaire in regards to items such as how many people live at the residents and what types of pets you might have, whether it is a manufactured home. This has not been done in years in Hampton.

Discussion

Chairman Nichols explained that in the past, the Board has made a decision not to do this and he listed out the reasons why: administrative expense, no value in establishing an accurate value. However since HB316 has passed which means that people can appeal their valuation without having to allow the Assessing Department into their property. Chairman Nichols clarified that the use of the PA-28 Form would not be beneficial to the Town.

Mr. Znoj asked if PA-28 Form is of value to the Assessing Department and it is not in Mr. Tinker's opinion. Mr. Znoj and Mr. Lally both agreed to do away with the form.

Mr. Znoj MOTIONED to do away with the PA-28 Form. Mr. Pierce SECONDED.

VOTE: 5-0-0

III. Announcements and Community Calendar

Mr. Pierce had the pleasure of watching the Silent Drill Team presentation on Wednesday and it was amazing, he thanked the Marines involved. The Sand Sculptures are still up at the beach so go see them.

Mr. Znoj attended the Open House at the new SAU 90 and it was great.

Mr. Lally reminded everyone that there is something going on everyday in July through the Recreation Department. He listed out some of the camps and activities.

Appointments – Continued

2. Michael Schwotzer, Finance Director

a. 2012 Budget Preliminary Ideas

Chairman Nichols explained that they have invited the Budget Committee along with Mr. Schwotzer to discuss the 2012 budget. He explained the main reason that the Budget Committee has been invited to this discussion is because of discussions they have been having as a committee to move several items into the 2012 budget that have been Warrant Articles. A few items that come to mind are the Social Service articles, Mounted Police Patrol, and Mosquito Control funding. He shared two of his concerns: first is that if the budget does not pass how we fund these items and second what are the implications associated with duplication between the Operating Budget and a Warrant Article should the Board of Selectmen proceed with a Warrant Article.

Discussion

Ms. Latimer thanked the Board for letting them come tonight to participate in this discussion. She commented that the goal is to come up with a budget that will pass so that we do not have a Default Budget.

Mr. Schwotzer provided everyone with a breakdown on Warrant Articles vs. Budgeted items. He explained how the Budget has recently been higher than the default therefore the Budget has been failing. However, the Warrant Articles have been passing such as the horses and mosquitos. He feels that by adding these types of items back into the Budget it will only go up. He expressed the confusion that can occur if these items are in the Budget and on as Warrant Articles and the consequences of them both not passing.

Chairman Nichols asked Atty. Gearreald to explain any legal consequences and possible language that might be used in a Warrant Article. Atty. Gearreald explained the problem with having the potential no means no law coming into effect. He explained the RSA having to do with the transfer of appropriations. The problem comes when one passes and one does not. He provided the example that if the Warrant Article was to fail the DRA could say the “No means No Law”. There is language that can be used in the Warrant Article but it can be very confusing to the voters and we could really be rolling are dice on this one. He reiterated the real danger is because of the “No means No Law”.

Mr. Znoj wonders why he would put these items in a Warrant Article and have them moved into the budget as well, this makes no sense to him. Chairman Nichols explained that the Warrant Articles would be put in to assure that there was money to fund the horses or mosquito control.

Ms. Latimer explained that over the past few years why we have not had an Operating Budget but instead a Default Budget. She commented on how over time many of the items such as the Mounted Police Patrol and Mosquito Control funding have been pulled out of the budget and became Warrant Articles. It is agreed that everyone wants to keep everything level but by educating the public, we can show them how the Warrant Article items that have been passed in previous years will now just be funded through the budget therefore costing the taxpayer the same amount of money. They had a discussion on the Social Service Articles. They also discussed when these items were removed from the budget.

Chairman Nichols agrees with what has been said, but his issue is the aspect of whichever way we do this it should be done in a manner and whether the vote is yes or no, would we still be able to fund these items. He discussed that in 2008 when the Operating Budget was passed; it was because in that year the Operating Budget was lower than the Default Budget. Comments to the fact that whatever is lower is what passes.

Mr. Znoj thinks that if this Board can come to a bottom line that the Budget Committee can agree with, than these Warrant Articles can be added into the Budget and sent to the Budget Committee for complete support. He feels that the public would then be receptive to voting in favor of the Budget.

Ms. Latimer thinks that the Budget needs to be completely rebuilt with a clear direction with what we want to go with it. She reiterated the need to get back to an Operating Budget and away from the Default Budget and to do that is to plan with an Operating Budget.

Chairman Nichols asked what is their opinion as to whether or not the Board should go forward with putting these items in as Warrant Articles as a backup. This is assuming that the Budget Committee has placed them into the budget.

Ms. Latimer asked Chairman Nichols what is the goal of the Board in regards to Warrant Articles. Chairman Nichols thinks that the goal is to fund the Mounted Police Patrol and Social Service articles than it is to reduce the number of articles by three. There was an additional discussion on the issues involved with increasing the total budget amount. He is not opposed to having these items put into the budget but would also want to have them put in as Warrant Articles in order to have something to fall back on.

Ms. Latimer questions how many things do they plan to pull out of the budget and provided some history on what past management has done. She feels that any expense that is incurring year after year, that it should be in the budget not as a warrant article.

Chairman Nichols asked her to answer the question if she would like to see the warrant articles for these three items in the Budget and as warrant articles as a backup tool in case the budget did not pass. If they would like to take this approach than he would be in favor of this and to have language that addresses the duplication as so that the warrant articles would be mote if the Budget were to pass. Ms. Latimer could be in favor of this and look at this as a process. She would like a commitment that the two Boards would work together to provide

the necessary education for the public. It was stated that is why they were invited this evening.

Ms. Woolsey commented on how past management began to remove items from the Operating Budget to make them look lower. If these items, including some of the special revenue funds and some revolving funds, had been left in the budget, we would not have this problem now. She spoke about the fact that this Board needs to make a decision on the Mounted Patrol and stop leaving it up to the public, it should either be a part of the Police Department or not and this Board needs to decide that for themselves. She also talked about mosquito control, library, charities and drainage and that they all belong in the Operating Budget. Chairman Nichols thinks that we all agree and need to decide if we want to have Warrant Articles in place as a backup if they are also included in the Operating Budget.

Mr. Plouffe thinks that it was much easier for the past Boards to pull these items out than it is for this Board to put them back in. He thinks that the problem now is the trust issue between the two Boards.

Mr. Pierce personally thinks that the charities and mosquito control should be Warrant Articles and the horses should be in the budget.

Mr. Lally thinks that the charities should be a Warrant Article and that the Mosquito Control and Mounted Police Patrol should be in the budget. There was also a discussion that drainage should be in the budget. Ms. Latimer explained to the Board how it used to be in regards to Health and Social Services agencies and how initially an agency would submit a Warrant Article for approval, once it was approved, than the following year it would be part of the budget with the other social service agencies and the Board had control of the funding money.

Chairman Nichols commented that after having this conversation tonight it is clear that the Budget Committee does not agree amongst them nor do the members of this Board agree amongst us. Ms. Latimer commented once again on the need for recurring expenses to be part of the Budget. She understands that it takes time to undo what others have done and the need for a safety net. She would ask Atty. Gearreald if the Warrant Articles can be written clearly enough so that people will understand. Chairman Nichols thinks that this is something that Mark can work on and approach DRA to see how they would respond. She would like to know if we were to go forward with this would this Board keep this as an active topic of discussion at each meeting to help educate the public.

Dick from the Budget Committee attends to agree with Bill that charities should be a Warrant Article and the other recurring type of expenses should be put back into the Budget.

Brian from the Budget Committee provided some information on the primary role of the Budget Committee. He would like to see a line item for each expense in the Budget so that money can be expended on these items.

Mrs. Woolsey reminded everyone that the process has to start with the Board of Selectmen. She commented that if the Board of Selectmen and Budget Committee do recommend the Budget it will mean nothing if the Budget is a no on the yellow sheet.

Ms. Latimer thanked them for inviting them to the meeting tonight. Although there are differences of opinions, she thinks there is enough agreement amongst them for finding a process to make this work. Chairman Nichols thanked them for coming also.

Chairman Nichols explained that Mr. Schwotzer is also here tonight to receive feedback from the Board on a broader scope what the Board wants to see in the Budget. Mr. Schwotzer explained that later this week he and Mr. Welch hope to send a letter out to the Department Heads with a request for them to submit their budgetary needs. The feedback from the Board is necessary so that it can be expressed to these Department Heads.

Discussion

Mr. Lally asked if they know of anything coming up in any of the departments that they have to have next year. There is nothing that they know of at this time.

Mr. Schwotzer would just like to know if the letter should go out stating that the Board is requesting a flat budget and any items that need to be brought forward should be done at this time.

Mr. Znoj is not looking for only a flat budget but would like to see cost reductions identified by the three large departments. He wants to see opportunities for cost reductions in certain line items in each department not just a flat budget.

Mr. Pierce thinks that this Board has done a good job of keeping things somewhat stable. He does not want to rock the boat so he would like to see the same approach that has been taken over the past few years. If there were an additional need or problem in a department, he would like to see it now.

Mr. Griffin would like to see the Board remain on the same path of a level tax rate. He has received a lot of positive feedback about the tax rate. If there were a place to cut than that would be great.

Chairman Nichols agrees with what has been said but made the following suggestions: if we do embark on moving the items discussed tonight into the Operating Budget then it will be even more important that the other budgeted items do not change. He commented that nobody knows where we will end up down the road in regards to retirement rates. We also will not know about what type of hit that we will see in health insurance rates.

Mr. Griffin also commented on the impact that retirement and health insurance rates can have on the budget.

Other Items

Mr. Pierce asked when a business should be placing their orders for the new carts. The orders can be placed now and they will pay when the carts come in and are picked up by the business.

Mr. Lally received a question from a business owner on Rte 1 about how cardboard will be recycled. It will have to be put into one of the carts if they want it picked up they cannot just bundle it together as they do now.

IV. Approval of Minutes June 06, 2011 and June 13, 2011

Minutes of June 06, 2011

Page 5: Paragraph 6: Last sentence delete the "have" and add the words "targeting."

Page 12: After Mr. Pierce's comment about the length of term, add the following. "Chairman Nichols clarified that the term's expiration is 2014".

Mr. Pierce MOTIONED to Approve the Minutes June 27, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

Minutes of June 13, 2011

Page 8: Under Item #3 MOU with DRED. Fifth sentence add after pick-up "on the West side of Ocean Blvd by the State during DPW off hours," and add before the word "Police" before the word "ATV" and add after "ATV" the word "Patrol."

Mr. Pierce MOTIONED to Approve the Minutes of June 13, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

1. A contract was awarded to International Salt Company for 2011-2012 winter season salt purchases for \$55.92 per ton under the State Cooperative Bid process.

Mr. Znoj commented on the current inventory.

2. A bid was awarded to Wright-Pierce as the low of four bidders to conduct landfill-monitoring service in accordance with the requirements of State DES and the EPA for \$5,800.

Mr. Znoj clarified that this is about the same as previous years.

3. The dress for school success is requesting that individuals search their closets to look for clothing in good condition to donate to Dress 4 School Success. Donations can be left at the Town Hall, Library, Hampton Schools, and the Village Preschool.
4. O'Leary's Grille – Request for Outdoor Dining/Service of Liquor 816 Lafayette Road.

Mr. Griffin MOTIONED to APPROVE the request of O'Leary's Grille for Outdoor Dining/Service of Liquor 816 Lafayette Road. Mr. Znoj SECONDED.

VOTE: 5-0-0

5. Farr's Famous Beach Shack – Request for Outdoor Dining/Service of Liquor at 43 Ashworth Ave.

Mr. Griffin MOTIONED to APPROVE the request of Farr's Famous Beach Shack for Outdoor Dining/Service of Liquor at 43 Ashworth Ave. Mr. Znoj SECONDED.

VOTE: 5-0-0

6. Authorization to allow issuance of letters on requests for the 15-day waiting period Waivers to the NH Liquor Commission.

Discussion

Chairman Nichols explained that this is a blanket approval on the 15-day waiver for any businesses that come forward. He asked if there is any public benefit to having a 15-day

waiting period. Mr. Lally thinks that it could have been beneficial before we had the Entertainment Ordinance in place.

Mr. Griffin MOTIONED to APPROVE the Authorization to allow issuance of letters on requests for the 15-day waiting period Waivers to the NH Liquor Commission. Mr. Znoj SECONDED.

VOTE: 5-0-0

We have received a notice of abandonment and discontinuance of service on the Hampton Branch Railroad line. It is their intention to abandon the line from Rte 1 South all the way to Portsmouth. He has contacted the State to see what their position is since we would like to preserve the strip of land for other purposes. He was told the State would purchase it if they were given the option to buy it.

He provided the update on the Hampton Beach project including the visitor information center is open along with the park organization office.

Discussion of other Town Manager Items

Chairman Nichols wonders if we should have any concerns with the railroad line since we have drainage problems in this area. That is a concern of Mr. Welch, that is why he has contacted the State, and they will be putting in a bid to buy the property. The State will have the first chance at this property. Mr. Griffin commented on fact that PanAm owns the railroad and is going to also have a TV show coming out in the fall, as they own all the rights to PanAm.

Chairman Nichols clarified that the sidewalk work on Mill Road is the section between High Street and Winnacunnet Road.

VI. Old Business

2. Recycling and Trash Pick-up Policies

Discussion was moved to before Appointments. However, Mr. Znoj would like to make a few additional comments. Mr. Znoj would like to comment on the recycling report that the Board received from Public Works. We finished 2010 with the recycling being 30% of total trash. This percentage was fairly stable through the year with no improvement. So far this year we are only at 32%. He strongly believes that we need to work harder at this since there is a huge savings that can be obtained here. He talked about the budget for tipping fees. He discussed for the Board an experiment he performed at his home on his trash/recycling. This included going through his trash and finding four more pounds of recycling and of the total he brought to the curb 62% was recycling. There is a cost saving opportunity here and we need to focus on this more.

There was an additional discussion amongst the Board on recycling and the items that can be recycled.

3. Board of Selectmen Authorization Issuance of Dog Warrant

Chairman Nichols explained that the Board has received this and it needs approval.

Mr. Lally MOTIONED to APPROVE the Authorization for issuance of Dog Warrant. Mr. Pierce SECONDED.

VOTE: 5-0-0

VII. New Business

1. Removal of Energy Committee Member

Chairman Nichols explained that there has been a request from the Energy Committee to remove a member that they cannot contact.

Mr. Znoj MOTIONED to APPROVE the Removal of Energy Committee Member James Potter and appointment of Tom Withka as a permanent member. Mr. Pierce SECONDED.

VOTE: 5-0-0

2. Resignation of Trustee of the Trust Fund

Chairman Nichols explained that we have received resignation from a member of the Trustees of the Trust Fund and it is the job of the Board of Selectmen to appoint a new member. The objective tonight is to let the public know that there is an opportunity exist and anybody interested please send a letter of interest to the Town Manager's Office.

Mr. Znoj asked if a resume is needed. Chairman Nichols does not think this is necessary but interested individuals should mention any qualifications.

Mr. Pierce added the term would be about 2 ½ years. Chairman Nichols clarified that the term's expiration is 2014.

Letters of Interest should be submitted to the Town Mangers office within the next two weeks.

3. Authorization of Termination of Leased Land "Lease" of 181 Ashworth Avenue

Chairman Nichols explained that this is simply a case of someone selling their property and someone else picking up the lease.

4. Authorization of "New Lease" for Leased Land at 181 Ashworth Avenue

Mr. Lally MOTIONED to APPROVE the Authorization of Termination of Leased Land "Lease" and to APPROVE the Authorization of the "New Lease" for 181 Ashworth Avenue. Mr. Znoj SECONDED.

VOTE: 5-0-0

5. Authorization of Withdrawal Capital Reserve Funds

Chairman Nichols commented that this is \$175,650 for three new hundred cubic yard ejection trailers. Mr. Welch explained that as of the total solid waste handling, there are some advantages of getting these and having the Town own them. The first advantage is that they will be new. This will give us two for solid waste and one for recycling. We will still have the one-leased trailer for recycling.

Mr. Znoj wants to make sure we have enough room and do not need any additional trailers. Mr. Welch thinks that we will have enough. Chairman Nichols added that we could always go back and lease another if needed.

Chairman Nichols asked about the useful life of these trailers. Mr. Welch commented that the recycling should last 20 years and the trash 15 years and these are the heavy-duty models.

Mr. Welch explained that there were four bidders. The low bid was for \$53,000 per unit and the one they would like to award the bid to was \$58,550 per unit. Chairman Nichols clarified that the Board is being asked to approve the withdrawal from the Capital Reserve Fund and the bid since it is not being awarded to the low bidder but to the bidder who is providing the heavy-duty models. Mr. Noyes has been involved and supports this.

Mr. Lally MOTIONED to APPROVE the Authorization of Withdrawal of \$175,650 from the Capital Reserve Funds and to award the bid to the second low bidder Steco. Mr. Pierce SECONDED.

VOTE: 5-0-0

Other New Business

Mr. Znoj has a recommendation from the Recycling Committee and Charlie Preston would like to step down as a member and be made an alternate member. Tammy Deland would like to be sworn in as a one-year member. Mr. Pierce wonders if this is the normal process. Mr. Znoj as he understand that the letter of interest was submitted to Kristina.

Mr. Znoj MOTIONED that Charlie Preston be recognized as an alternate and Tammy Deland be made a permanent member of the Recycling Committee in his place for this one-year term. Mr. Pierce SECONDED.

VOTE: 5-0-0

VIII. Consent Agenda

1. Appointment to Energy Committee Full Member – Tom Withka
2. Appointment Request – Request of Mike Bisceglia to Heritage Commission
3. Appointment to Conservation Commission as an Alternate Member – Nathan Page
4. Entertainment License “Stacey Janes” 9A Ocean Blvd
5. Entertainment License “North Beach Bar and Grill” 931 Ocean Blvd
6. Entertainment License “Boardwalk Inn and Café” 139 Ocean Blvd
7. Dance Hall Permit “Le Bec Rouge” 73 Ocean Blvd
8. Dance Hall Permit “Dunbar Hotel, LLC dba Ashworth by the Sea” 295 Ocean Blvd
9. Pool Table Permit “O’Leary’s Grille” 816 Lafayette Road
10. Pool Table Permit “Casino Mini Golf” 169 Ocean Blvd
11. Hampton Cemetery Deed – Helen Vogt
12. Solicitation Permit “Paralyzed Veteran of America” Tara O’Keefe 08/25-27/11
13. One Day Entertainment License – Kit & G.T. Gross at 32 Playhouse Circle 08/28/11
14. Use of Public Park & Beach Properties – Lions Club Old Town Hall Parking Lot 08/06/11
15. Street Closure Permit – Jennes Road 08/06/11
16. Abatements: Map 189-12-1-3/1 Park Ave Unit 3-1; Map 160-17-1/428 Lafayette Road Unit #102; Map 71-15-3/861 Lafayette Road Unit #3; Map 71-15-6/861 Lafayette Road Unit #6; Map 157-3-2/241 Drakeside Road; Map 90-28/815 Lafayette Road; Map 295-59-5-B/27 Duston Ave; Map 295-59-1-A/9 Duston Ave; Map 295-59-1-B/11 Duston Ave; Map 295-59-2-A/13 Duston Ave; Map 295-59-2-B/15 Duston Ave; Map 295-59-3-B/19 Duston Ave
17. Tax Credit/Exemptions: Cocchiario, Norma; Fredette, Aline; Harvey, Delmont & Rita; Quinn, Pauline B.; Shepard, Roger S.; Silva, Pauline; Taylor, Romeo M. & Beverly; Tracey, Lee & Darlene

Chairman Nichols commented that item one was included in motion above in regards to the Energy Committee.

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

VOTE: 5-0-0

IX. Closing Comments

Mr. Pierce has an idea to throw out real quick. We are going to be busy switching over to recycling on Friday. He wonders if there is a backup plan in place since we are going into a long weekend. Mr. Welch stated that they have a meeting planned for Wednesday at 4 pm to discuss this exact issue. Mr. Pierce thinks that the Board should have a meeting scheduled just in case there are problems. Chairman Nichols does not think this is necessary but does believe that after the meeting that Mr. Welch and Mr. Noyes have on Wednesday that the Board should receive an email with an update and the plan that they have put into place. Mr. Griffin stated that the trash people know what they are doing.

Mr. Znoj commented on the status quo through the summer. We have to address the issues with commercial businesses, condominiums and these problems that have come up over the past few weeks. Mr. Griffin commented that you cannot take something away from people who have received a service for 30 years. Chairman Nichols thinks that we have to decide whether we want to look at these problems or not and how we should go about a study. There was an additional discussion on who we pickup from and who we do not. The Board agreed to put this on hold and look at in a few weeks.

X. Adjournment

MOTION to Adjourn by Mr. Pierce and Seconded by Mr. Lally.

VOTE: 5-0-0



Chairman

Town of Hampton



AGENDA Board of Selectmen June 27, 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. Ed Tinker, Assessing Department
 - a. Property Tax Abatements (Listed under Consent Agenda)
 - b. 2011 Property Revaluation
 - c. PA-28 Form Property Inventory Questionnaire Response
 2. Michael Schwotzer, Finance Director
 - a. 2012 Budget Preliminary Ideas
- IV. Minutes of June 06, 2011 and June 13, 2011
- V. Town Manager's Report
 1. International Salt Company for 2011-2012 winter season salt purchases
 2. Wright-Pierce to conduct landfill monitoring service
 3. Dress 4 School Success
 4. O'Leary's Grille – Request for Outdoor Dining/Service of Liquor 816 Lafayette Road
 5. Farr's Famous Beach Shack – Request for Outdoor Dining/Service of Liquor at 43 Ashworth Ave
 6. Authorization to allow issuance of letters on requests for the 15-day waiting period Waivers to the NH Liquor Commission
- VI. Old Business
 1. Recycling and Trash Pick-up Policies
 2. Board of Selectmen Authorization Issuance of Dog Warrant

VII. New Business

1. Removal of Energy Committee Member
2. Resignation of Trustee of the Trust Fund
3. Authorization of Termination of Leased Land "Lease" of 181 Ashworth Avenue
4. Authorization of "New Lease" for Leased Land at 181 Ashworth Avenue
5. Authorization of Withdrawal Capital Reserve Funds

VIII. Consent Agenda

1. Appointment to Energy Committee Full Member – Tom Withka
2. Appointment Request – Request of Mike Bisceglia to Heritage Commission
3. Appointment to Conservation Commission as an Alternate Member – Nathan Page
4. Entertainment License "Stacey Janes" 9A Ocean Blvd
5. Entertainment License "North Beach Bar and Grill" 931 Ocean Blvd
6. Entertainment License "Boardwalk Inn and Café" 139 Ocean Blvd
7. Dance Hall Permit "Le Bec Rouge" 73 Ocean Blvd
8. Dance Hall Permit "Dunbar Hotel, LLC dba Ashworth by the Sea" 295 Ocean Blvd
9. Pool Table Permit "O'Leary's Grille" 816 Lafayette Road
10. Pool Table Permit "Casino Mini Golf" 169 Ocean Blvd
11. Hampton Cemetery Deed – Helen Vogt
12. Solicitation Permit "Paralyzed Veteran of America" Tara O'Keefe 08/25-27/11
13. One Day Entertainment License – Kit & G.T. Gross at 32 Playhouse Circle 08/28/11
14. Use of Public Park & Beach Properties – Lions Club Old Town Hall Parking Lot 08/06/11
15. Street Closure Permit – Jennes Road 08/06/11
16. Abatements: Map 189-12-1-3/1 Park Ave Unit 3-1; Map 160-17-1/428 Lafayette Road Unit #102; Map 71-15-3/861 Lafayette Road Unit #3; Map 71-15-6/861 Lafayette Road Unit #6; Map 157-3-2/241 Drakeside Road; Map 90-28/815 Lafayette Road; Map 295-59-5-B/27 Duston Ave; Map 295-59-1-A/9 Duston Ave; Map 295-59-1-B/11 Duston Ave; Map 295-59-2-A/13 Duston Ave; Map 295-59-2-B/15 Duston Ave; Map 295-59-3-B/19 Duston Ave
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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.