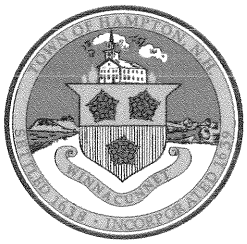

Hampton Board of Selectmen
July 25, 2011 Minutes

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

6:00 PM Non-meeting with Legal Counsel RSA 91-A:2.,I., (b)

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Hearing "Establishment of Septic Disposal Rates" Article 37 2011 Town Meeting

Mr. Welch read the article that passed. He explained that Public Works was asked to investigate the cost of treating septage. The current tipping fee is $35 per 1,000 gallons for residents and $80 per 1,000 gallons for non-residents from Town's who are approved to dump by the State. The rough yardstick for the strength of septage being tipped into the treatment plant is 25 to 35 times the strength of septage coming from residential homes; they used a factor of 30 to calculate the cost, which yielded an estimated cost at $45.90 per tip. The DPW feels that the current fee schedule in place is fair when compared to surrounding Towns.

Comments from the Public

Arthur Moody commented how the rates have not been raised in 20 years and how there was an article to increase the rates by 20%. He also commented on the amount of money that has been put into the plant and it does not make any sense to not increase the rates.

Chairman Nichols believes that the last increase was in 2000 or 2001. He also commented on how the cost calculation are comparable to the Town of Rye and all the factors that go into the calculation for the fees charged to the Town of Rye.

Comments from the Board

Mr. Znoj commented that Mike Carle has contacted the State and he wonders if we are in line with others. Mr. Welch stated that Mr. Carle has called the State and we are in line with the surrounding communities but the rates across the board are all over the place.


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

He also commented on the flow in the summer compared to the winter and how the sludge actually helps the plant in the winter months when flow is down.

Mr. Pierce asked about the rates and it was reiterated that the rates are all over the place. Mr. Znoj stated that if the rates are set correctly, according to DPW he is ok with keeping them the same.

Mr. Pierce MOTIONED to keep the current septic disposal rates at $35 per 1,000 gallons for residents and $80 per 1,000 gallons for non-residents from Town's who are approved to dump. Mr. Znoj SECONDED.

VOTE: 5-0-0

II. Public Comment Period

Arthur Moody commented on the list of abatements again for the last year, which has occurred over the past several meetings. He commented that each of the lists have had abatements for taxes in the Village District and these abatements are being paid by the Town tax and not the Village Tax and is the cause of the State Legislators. He also commented on the MOU between the Town and DRED, is this a final draft. It was state that this was not a final draft.

Chairman Nichols clarified that this is on the agenda but it is a draft and is still being worked on. Mr. Moody wonders why we do not have an MOU with other State Departments. There was a discussion on whether the Liquor Store is being charged for sewer use. He commented on other things between the Village District and the Town. The last thing he commented on was the surplus fire alarm items on the agenda. He mentioned how he was looking for two specific boxes and they could not be found.

John Cross, 31 Hobson Ave, would like to comment on the item under new business in regards to parking amendment on Hobson Ave. He presented the Board with some drawings and parking problems brought up back in 1995 which showed the "No parking on either side" from a distance of 210 feet (in) from Ashworth Avenue and then from that point of the 210 feet in, to the Sewer Easement. He is asking the Board to return the verbiage in the ordinance back to what it was which he read for the Board. He shared some information on the history of parking in this area and the demographics of Hobson Ave. Mr. Znoj clarified that they are not currently having parking issues but are here to clean up the language in the ordinance.

Chairman Nichols suggested that this agenda item be moved forward at this time.

Parking Amendment – Hobson Avenue "No Parking Designation"

Mr. Welch explained how this ordinance had been corrupted over the past 20 years. He clarified that parking would be allowed from Ashworth Avenue in, for a distance of 210 feet and then from that point of the 210 feet (in) from Ashworth Avenue, "No Parking on either side of the Street" for a distance 385+/- feet; to end at the Sewer Easement. The remainder of the Street westerly towards the Marsh, parking is allowed. He does not have a problem with this.

Comments from Board

Mr. Znoj asked if allowing parking in the first 210 feet causes a problem getting in and out of the road. The response was no.

Chief Sullivan explained that they are just trying to put the ordinance back to its original form. He shared history on what took place in 1995 and thinks that all the Board needs to do here is reaffirm the 1995 vote made by the Board of Selectmen.

Mr. Griffin MOTIONED to approve the amendment to Chapter 3, Article 5 – Hobson Avenue – Beginning at a distance of 210 feet in from Ashworth Avenue and continuing for a distance of 360+/- feet*; to end at the Sewer Easement "No Parking on either side of the Street". Mr. Lally SECONDED.

*as measured on the South side of the Street

Distance measurements:
North side of the Street: From the Fog Line on Ashworth Avenue to first pole #2486-2 = 245'
South side of the Street: From the first sign at #51 Hobson Avenue to pole # 2644-5 = 360'

VOTE: 5-0-0

Joseph Marchell of Hampton Falls explained to the Board that he has lived in the area for 18 years and enjoys playing his guitar down on Ocean Blvd on his days off. He shared information on being able to receive donations and referenced the RSA for the Board. He has gone to Kristina and shared concerns he has with the application process and the cost of the insurance bond being more than he will be making in donations. He shared some court cases from other States he found on this issue.

Mr. Znoj clarified that Mr. Marchell is looking to play guitar and sing on Ocean Blvd in front of the Casino. Mr. Lally believes that this is private property and if he had the owner's permission, he should be able to do this.

Mr. Marchell explained the several run-ins he has had with the police and the fact that he has been written up and will be charged the next time.

Mr. Griffin wonders why he cannot do this at the State Park.

Chairman Nichols thinks that the Ocean Blvd location falls under Hawkers and Peddlers and asked Chief Sullivan to comment.

Chief Sullivan does not think that this will be solved tonight but would suggest that Mr. Marchell come and sit down with him to discuss options.

There was an additional discussion on the Hawkers and Peddlers license and restricted locations. Mr. Marchell expressed that he never solicits money and people just choose to drop money in his guitar case. Mr. Lally would suggest that he meet with the Chief.

There was an additional discussion on how this is allowed in places like Newburyport and how there are different laws.

III. Announcements and Community Calendar

Mr. Pierce asked what the guidelines are for setting off fireworks at your house; personal fireworks is illegal.

Mr. Lally mentioned tickets that are still available for the Red Sox game on August 2nd.

Chairman Nichols has received a letter from NH University that Public Works employee Russell Nickerson has received the status of Master Roads Scholar.

Chairman Nichols announced the passing of Rosanna Wright a long time resident at the beach. He asked for brief moment of silence in memory of Rosanna.

Mr. Lally mentioned the passing of Terry Sullivan and sent condolences to the family.

Mr. Griffin added the passing of Gary Dupre.

IV. Appointments

1. Ed Tinker, Assessing

   a. 2010 Abatements – Listed under Consent Agenda

Mr. Tinker explained he has the two final abatements from 2010 totaling $8597.48. He also provided them with an update on year-end totals.

Discussion

Chairman Nichols responded to comments made by Arthur Moody in regards to us essentially carrying the overlay and abating the Precinct taxes. He has calculated this and it totals $353 for all the 2010 abatements.

Mr. Znoj MOTIONED to approve the abatements totaling $8597.48. Mr. Pierce SECONDED.

VOTE: 5-0-0

Mr. Tinker would also like to discuss the 2011 Revaluation, which the Selectmen have approved going forward to the hearing phase. We have preliminary valuations that we are comfortable with and he wanted to notify the Board that they would be sending letters out this Friday to notify the homeowners of the values. He explained that the values will be available online and copies in the Town Office and the Library.

Chairman Nichols asked Mr. Tinker to clarify the time schedule for hearings. Mr. Tinker explained that they would take phone hearings until August 12th and appointments beginning on August 10th and going through August 22nd. There are multiple ways that residents can educate themselves in preparation for the hearings, which Mr. Tinker went through for the Board. There is a small presentation on Channel 22, along with hard copies in the Assessing Office and on the Town website.

Mr. Znoj clarified that they will have the availability to look at their valuations along with others in their neighborhoods.

Mr. Pierce clarified that the letter will explain to the individuals that they can have a hearing if they chose.

Chairman Nichols explained that how in the past residents did not find out about their new valuations until they received their tax bill. However, this time they will be notified before the tax bills go out and have the opportunity to have a hearing.

2. Chief Sullivan, Police Department

a. Departmental Update

Chief Sullivan and Deputy Chief Sawyer present tonight. Chief Sullivan provided his monthly report, which included: personnel update, part-time schedule, Cops Hiring Grant, budget, activities involved in, 4th of July weekend, criminal activities compared from 2010 to 2011, and two separate incidents involving ADA issues and businesses not allowing service dogs in stores and mounted patrol update. Chief Sullivan reminded the Board about the details around the Cops Hiring Grant and how since there have been Default Budgets they have been postponing this grant opportunity. They are not at the point when they have to decide what the Board would like to do. If it is the intention to still, take advantage of this than we can apply for one more extension. With the budget situation, the Chief does not see how the Town would be able to execute this grant opportunity.

Discussion

Mr. Znoj asked how many part time employees they budgeted for compared to what they hired. Chief Sullivan explained that they do not budget based on number of employees but instead by number of shifts. This year they are operating with 120 shifts compared to the 112 shifts last year. He went into further details about how it is going to take time to build back to the 150/160 shifts they would like to have.

Chairman Nichols wonders if the NHRS retirement changes had an impact on the part time employees. It has not as of this point but we will have to wait and see.

Mr. Znoj had Chief Sullivan explain the Cops Hiring Grant in further detail for the Board. There was an additional discussion on the cost involved in hiring a fulltime officer. Mr. Znoj would have to hold off on this opportunity at this time. Chairman Nichols would also not be in favor of Cops Hiring Grant at this time.

Mr. Griffin asked for the Chiefs opinion. Mr. Griffin and Mr. Lally would be in favor of filing for an extension. There was an additional discussion on the timeframe, how this worked in the past, and how the grants are very rare.

Chief Sullivan commented that he would need a vote that it is the intention of the Board to add these positions before an extension can be filed for the Cops Hiring Grant.

Mr. Lally MOTIONED to file for the extension on the Cops Hiring Grant. Mr. Griffin SECONDED.

VOTE: 3(Lally, Griffin, Pierce) – 2(Nichols, Znoj) – 0

Mr. Griffin asked about why there was a delay in the fireworks on the 4th and Chief Sullivan explained it had to do with the threat of thunderstorms.

Chairman Nichols commented that the parking tickets are down. Deputy Chief Sawyer pointed out that it rained most of June and therefore they did not see a summer type crowd until the week before the 4th of July.

Mr. Lally asked if they have received any complaints with the no parking in the Green Street area. Chief Sullivan does not believe that they have received any complaints.

Mr. Znoj commented on the total number of simple assaults and Larson/Theft. Chief Sullivan explained the types of simple assaults. He also reminded people to lock their vehicles to help bring down the number for Larson/Theft.

There was an additional discussion on parking tickets and officers monitoring parking violations. They also discussed the appeal process for parking tickets.

Mr. Griffin wonders what happens when someone wants to have a BBQ on the beach. Chief Sullivan explained that generally this is not allowed but if it is a Town beach the individual can go to the Town Manager and Recreation Director for the appropriate permit.

Mr. Znoj brought up the problem with dog waste especially at North Beach. Deputy Chief Sawyer sent an email to DRED last week about this and quality of life grants available to help with this type of thing. There was an additional discussion about the problem with dogs on the beach. Mr. Znoj questioned if the Police horses have been out on the beach; they have been out.

Other Items

Chief Sullivan is asking the Board to waive the purchasing policy requiring seeking sealed bids for items over $5000 for the following reason. This past week one of our ATV's used in patrolling the beach has failed due to the underbody rusting; it is not safe to operate and is not repairable. You may recall this machine was purchased years ago using a federal grant; we have found the use on patrol very successful and are seeking to replace it. Based on our experience with these machines and our current research on the appropriate replacement unit; we have identified a Honda ATV unit. We have priced out the unit including service agreement and extended warranty from a local dealer at $8,500. The funds to make the purchase will come from asset forfeiture funds, not our police budget.

The benefits of the waiver will be:

1. **Time Savings**. The bidding process will take several weeks or a month to complete; which will essentially limit the time we can get the ATV in service for the balance of this summer. The waiver will still allow us to negotiate the best price from several dealers in the area. We can accomplish this within a week and get the unit into service much more quickly.
2. **Cost savings**: with a purchase of an ATV, the sales margins are limited; therefore, the sealed bid process is unlikely to produce any substantial additional benefit over the negotiating process. Additionally, the cost of placing the bid advertisement in the newspaper will be saved.

Discussion

Mr. Znoj asked if this is in the budget and it is not it will come from the Asset Forfeiture Fund.

Mr. Griffin MOTIONED to approve the waving of the bidding process for the purchase of the ATV. Mr. Lally SECONDED.

VOTE: 5-0-0

Chief Sullivan would also like to discuss items brought up at the last meeting in regards to the Seafood Festival. He spoke about on the following items discussed that night: the committee asked for more coverage since there was an additional beer tent and the departments were directed by this Board to charge for any additional coverage due to the event. These were the only major changes. The statement that they have no incidents is false in the Chief's opinion and he provided some information related to calls for service they

received that weekend. He also discussed how this has extended the summer season by one week to accommodate this Festival. He has already met once with the Committee and will be meeting again.

Mr. Griffin questioned the calls for assistance they received and Chief Sullivan provided further detail on the calls. There was a discussion about the necessity for an ambulance and insurance coverage.

Mr. Pierce asked if Mr. Welch has the costs associated with last year's the Seafood Festival for the Board. Chairman Nichols believes this was resolved that night; it was brought up that some of the bills for details came from other Town's which accounted for the difference between the Chambers amount of bills compared to Mr. Schwotzer's amount.

There was an additional discussion on the scope of items that the Seafood Festival was billed for last year at the direction of the Board. Mr. Lally believes the big problem was that the amount of the bills nearly doubled and that was the issue. Chairman Nichols clarified that there was an additional beer tent and also the fact that they had never been billed from DPW for their time. Mr. Pierce commented that the Chamber should be billed for all expenses involved so that there is no cost to the taxpayer.

3. Ellen Goethel, Conservation Commission

    a. Batchelder Farm Conservation Easement

Ellen Goethel reminded everyone that at Town meeting it was voted to raise $250,000 to help with the purchase of Batchelder Farm. She brought the Board up to date on the money that has been raised so far and the sources it will be coming from. She is here tonight to get the Boards approval to apply for two additional grants to help with funding. It is a condition of the grant application to have the Governing Body to say yes to accept the funds from the grant. She talked about the two grants and probability of getting each of these grants. There may be some additional smaller grants in the future. The final appraisal of the land is scheduled to be in the Batchelder's hands by the end of August and the Town will receive a copy. This will determine how much more the Land Trust will need. They need the Board to vote to except the monies from the grants, to release the $250,000 from Town meeting vote and the $100,000 from the Conservation Commission Land Trust Fund. If it is appropriate to have the vote now to have the monies released at the time of closing so they are not scrambling at the end.

Discussion

Chairman Nichols clarified that they would like the motion tonight even though the funds are not to be released until the time of closing.

Mr. Griffin MOTIONED to have the $250,000 voted on at Town meeting and the $100,000 from the Conservation Commission Land Trust Fund released at the time of closing for Batchelder Farm easement. Mr. Pierce SECONDED.

VOTE: 5-0-0

With respect to the grant monies, a public hearing will need to be held. The Board can approve the grant request tonight.

Mr. Znoj MOTIONED to approve the grant request for the Fields Pond Foundation Grant and the State Prep Grant. Mr. Pierce SECONDED.

VOTE: 5-0-0

V. Minutes of July 11, 2011

Page 2: Fourth paragraph down, first sentence change the name "Judd" to "Jude"

Page 3: Delete the word "trash" in the second to last paragraph and add the following "the tipping fees and transport to Rochester."

Page 5: Second paragraph, second sentence. Add the word "drainage" after the word "roads,"

Page 7: Last paragraph, last sentence delete the word "it" and replace with "recycling".

Page 9: Correct the spelling of the word "MOTIONED".

Mr. Znoj MOTIONED to Approve the Minutes July 11, 2011 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

VI. Town Manager's Report

1. A renewal of the Residuals Waste Disposal Agreement with Waste Management has been accomplished. The terms and conditions including costs are the same as in the prior five-year agreement. The renewal is for five years and handles all of our solids from the wastewater treatment plant.
2. I have drafted and forwarded to the Board a proposed letter to the State DOT regarding the erection of crosswalk signs on Ocean Boulevard from Boars Head to High Street. I would request the Board's permission for forward that letter to DOT.

Discussion

Mr. Welch explained that these signs are similar to the ones on Ashworth Ave and not the flip-flop type that are seen in the middle of crosswalks, which tend to last only one week.

Mr. Pierce commented on how he thinks that the ones in the middle of the crosswalk have a greater impact on drivers.

There was a consensus amongst the Board that Mr. Welch should forward the letter to DOT in regards to the crosswalk signs.

3. At the July 13th meeting of the Southwest Regional Solid Waste District it was discussed that the current contract with Waste Management for the disposal of solid wastes will expire in 2015. The District would like to have the Towns position on offering additional solid waste services by contract through the District. I would appreciate the Boards consideration of that request. I did provide input that the Town will be examining the costs associated with our membership to determine if continued participation is financially warranted.

Discussion

Mr. Welch went through the things that are currently covered and what they might cover. If the Board has any ideas, he will pass them along.

There was an additional discussion on the fee schedule.

4. A bid was awarded to Pittsburg Networks of Manchester, NH for the purchase of 13 desktop computer systems for $9,165 as the low of four bidders.'

Discussion

Mr. Griffin wonders what type of computers these are and Mr. Welch read the specs for the Board. The computers are made by Lenovo.

Chairman Nichols commented that this is less than last year.

Mr. Griffin asked where the RFP was advertised. It was on the website, advertised and letters sent out to many vendors.

Additional items brought up by Town Manager

They had a meeting with the Regional Planning Commission and as the Board knows the Boston/Maine Railroad is thinking of discontinuing the branch going from here to Portsmouth. It was suggested that the Town's might buy their own sections but he is not in favor of this. The State has the first opportunity. The Town's agrees to work together. There is a letter being proposed to go to the State suggesting that they step in and purchase the line.

Mr. Pierce clarified that this will not have any effects on the future of Rte 1 such as making it into a one-way bypass.

Mr. Znoj clarified that the Town will reserve the right to lay pipe and correct the drainage problems.

Mr. Welch explained that this is a fairly long and complicated process. Mr. Welch explained how the process works in further detail for the Board.

There is something that came in today from Ocean State Gambling at the beach. They would like to add Lucky Seven and Veno. Since the Town has not accepted this portion of the statute this is something that would actually have to go on the ballot and be voted on at Town meeting. This would be regulated by the State but the permit has to come from the Town.

Chairman Nichols clarified that this does not have to be a Selectmen sponsored warrant article and noted that he would not be in favor of this being sponsored by the Selectmen. Mr. Griffin pointed out that they can have a petitioned warrant article. Mr. Welch will advise them when they call back that this would have to be a petitioned warrant article and voted on by the public.

Mr. Welch informed the Board that they have filed the second SRF for $706,500, which makes up the total amount of potential SRF funds.

Discussion

Mr. Znoj brought up a letter in regards to Whittier Estates and Mr. Welch explained this was taken care of before the letter was received. Mr. Pierce asked about who would have been liable if something happened. Mr. Welch explained how this works and how the Town would only be held liable if after receiving written notice, they did nothing about the problem. However, the problem was fixed after the phone call was received and before the written notice was received.

VII. Old Business

1. MOU – Responsibilities between DRED and the Town of Hampton

Chairman Nichols had this put on the agenda so that Mr. Welch could provide the Board with an update. Mr. Welch has provided the Board with a draft of what he has so far.

Discussion

Mr. Znoj has read the MOU and thinks it is very well written. He does think it leaves a little out since there are no dollar signs in the MOU. There was also no effective date.

Chairman Nichols thinks that it is better to not have exact amounts since cost change. He feels that by saying they will be charged the Town's cost of disposal is better than having the cost defined. Mr. Znoj feels that there should at least be the current cost with a sentence stating that this amount is subject to change each year if the Town's cost of disposal changes. Mr. Welch stated that he took the same approach as the Chairman and if a dollar amount were included, it would have to be amended every time the amount was to change.

Mr. Pierce agrees with the Chairman and Mr. Welch in regards to a dollar amount being included in the MOU but does think an effective date should be added. Chairman Nichols stated that the effective date would be when the MOU is accepted. Chairman Nichols went through the process once again for the Board. There was also a discussion on whether or not the Town can charge for trash and WWTP use prior to the MOU and the Town can and will be charging for these services.

Other Old Business

Mr. Griffin brought up recycling savings for $250,000 that he and Mr. Welch discussed earlier in the week. There was a discussion on how this is not the true savings since there are cost involved in collecting the recycling and transporting the recycling. Once we start shifting all these dollars around we were practically breaking even. Mr. Znoj commented this should change since we will now be paid for our recycling.

Mr. Griffin also commented on how it has been said that we will continue status quo until September but he feels that it is very important to continue to pick up from everyone that we have been picking up from in the past. He brought up the fact that these same people were asked to vote on the purchase of trash trucks and may not be able to have the benefit of having their trash picked up.

Mr. Griffin brought up the issue with the sandwich boards/signs at the beach and wonders what the law is since these are all over Town not just at the beach. Mr. Pierce shared his experience with these signs on Ocean Blvd and how he notified the Police on several occasions and even spoken to some of the business owners himself about removing them from the sidewalk. It was mentioned that the sign ordinance is on the website but Mr. Welch does not believe that there can be any form of a sign on public property. If the sign were on your own property, you would need to have a permit. Mr. Griffin would like to know what we are going to do about them. Mr. Welch will speak to the Building Department tomorrow morning and have them begin to pick up any signs in violation of the ordinance. Chairman Nichols clarified that signs on private property must have a permit.

Mr. Pierce asked about starting a committee to look at the way trash is being handled in Hampton. He would like to see a committee of seven people being formed to study

trash/recycling in Hampton. He is willing to make this motion. He discussed some of the things that this committee would be looking at.

Mr. Griffin is against forming a committee and taking away the rights of this Board. He thinks that we should listen to the public. He feels that this approach is totally wrong. He also feels that if a committee is formed it should not have a Selectman in charge. He thinks these are jobs that need to be done by the Board and listen to the public.

Mr. Znoj commented on the public hearing 2 years ago and how 90% of the audience was business owners. Mr. Griffin expressed again how he thinks that a committee is a very unfair approach. Mr. Znoj expressed how everyone at the meeting was excited and in support of recycling. He thinks that there is still room for a lot of improvement in recycling. He went through the report from Mr. Noyes and the questions that went back and forth between them. There was a discussion on how often trash/recycling is picked up from the businesses. Mr. Znoj thinks that we should let Mr. Noyes continue his evaluation on trash/recycling and report to the Board as requested of him. He discussed the possible people who can help provide him with the information. He talked about how this cost the Town well over a million dollars a year. Mr. Znoj is therefore recommending that the Board wait to hear back from Mr. Noyes on his report before the Board decides what to do. Mr. Griffin thinks that he has already decided. Mr. Znoj stated that he is currently backing away from the idea of forming a committee until he hears back from Mr. Noyes.

Mr. Griffin brought up the issue with private property and he wants to hear Atty. Gearreald say that this is illegal. Chairman Nichols has discussed this with Atty. Gearreald and Atty. Gearreald still needs to investigate this before he shares his opinion. Mr. Griffin expressed that this is something that is being discussed outside of these meetings and that they should be discussed here for the public.

Chairman Nichols is in favor of looking at alternatives. He believes that if we are asking Mr. Noyes to do something he needs some level of direction on what we are asking him to do. Mr. Znoj thinks that Mr. Noyes has the experience and he just needs to come up with the alternatives. Chairman Nichols thinks that first, he should come to the Board with the alternatives, which can be discussed, and the second step would be to put a plan in place. Mr. Griffin agrees with what they are saying and the directions should come from the whole Board not just a few members.

Chairman Nichols would make the following suggestion. Number one we need to get Mr. Noyes to look at what we are currently doing including what are the costs, what are we doing right and what we are doing wrong operationally. He thinks this part can be reached by the later part of August. At that point, the Board could let Mr. Noyes know that they would like to look at alternatives and once he comes up with them the Board can express their feelings on the alternatives presented.

Mr. Lally is also against a committee as it is seen as shifting the responsibility to others.

Chairman Nichols asked the Board if there is an agreement amongst the Board to move forward with the plan he suggested above. Mr. Pierce made a few comments about having a committee and some of the pros and cons. He suggested a committee since he does not like to see the fighting and hostile environment present at this type of a meeting. Mr. Znoj commented on a memo from Mr. Noyes in regards to picking up trash/recycling on some

properties behind gates. This is something that will be discussed when Mr. Noyes is present. Mr. Znoj would just suggest that everyone place their trash/recycling out at the road to make the DPW workers job easier.

VIII. New Business

1. Parking Amendment – Hobson Avenue "No Parking Designation" – discussed under Public Comment
2. Agreement Regarding Interest with HBVD

Chairman Nichols explained that this is essentially, what has been going on all along. Mr. Welch provided the Board with a copy of the agreement.

Mr. Pierce MOTIONED to approve the Agreement Regarding Interest with HBVD. Mr. Griffin SECONDED.

VOTE: 5-0-0

3. Bench Request at Bicentennial Park – Sally M. O'Connell

Chairman Nichols explained that this is a little different then past request since this individual would like to put a plaque on an existing bench.

Discussion

Mr. Pierce clarified that this bench was purchased by the Town. Chairman Nichols would be more in favor of what has been done in the past, which is the individual purchasing a bench and than putting a plaque on that bench.

The Board agreed to get back in touch with the individual and suggest that she purchase her own bench as others have done in the past.

4. Christmas Parade Warrant Article

Chairman Nichols put this on the agenda after the comments made last week by the Chamber. Chairman Nichols thinks that the Board needs to be consistent in how they handle things and in turn will need to charge the entity putting on the parade for details. His concern is that only $3,000 has been approved and budgeted for this line item. He thinks it needs to be looked at to see if the cost is to exceed the $3,000, does the Experience Hampton entity wish to absorb the cost or should we look at this and see if maybe it should be a Town sponsored event.

Discussion

Mr. Znoj is in favor of sponsoring the Christmas Parade. Mr. Lally reminded everyone that this has never been a Town sponsored event. Mr. Griffin commented on some of the wonderful things being done downtown in Hampton with the new Thai Restaurant and the job Greg's has done remodeling. Chairman Nichols thinks that we need to figure out if the $3,000 is enough to cover the cost so that a decision can be made. Mr. Welch will look into this immediately.

5. Establishment of Sewer Billing Rate

This was addressed and it will be $1.53 per 1,000 gallons billing rate for non property tax payers.

Discussion

Mr. Znoj commented this will be the rate for the State and Rye. The Board was in agreement with the $1.53 rate for sewer bills.

6. Declaration of Surplus Property and Obsolete Fire Alarm System Items

Chairman Nichols read what the Chief is proposing and the total amount for these items is $3,500.

Mr. Znoj MOTIONED to approve the Declaration of Surplus Property and Obsolete Fire Alarm System Items. Mr. Pierce SECONDED.

VOTE: 5-0-0

7. Award of Bid – Fire Department Generator

Chairman Nichols explained that the Fire Chief is requesting that we sell the generator for $379.79.

Mr. Znoj MOTIONED to Award of Bid – Fire Department Generator. Mr. Griffin SECONDED.

VOTE: 5-0-0

8. Award of Bid – Tree Work

Chairman Nichols expressed that we have a bid based on an hourly rate for an on call vendor for tree work. Mr. Welch stated this has been bid out twice now.

Discussion

Chairman Nichols commented on the issues with having an hourly rate for a vendor like this. He is ok with this as long as it is only used for emergencies.

Mr. Welch will instruct the DPW to put out a bid for a specific tree work. Mr. Pierce commented on tree work has been done. Mr. Znoj commented on the number of vendors available and wonders why we have only received two bids.

Chairman Nichols MOTIONED to Award of Bid to Urban Tree with the understanding that this is purely for emergency type of work. Mr. Znoj SECONDED.

VOTE: 5-0-0

IX. Consent Agenda

1. Tax Abatements: Map 126-34/590 Lafayette Road; Map 295-1-M/55 Harbor Rd; Map 295-1-16U/55 Harbor Rd; Map 295-128U/55 Harbor Rd
2. ~~Amendments to Personal Policy~~
3. Parade Permit "Hampton Beach Children's Festival Parade" Chamber of Commerce
4. Parade Permit "Firefighters Pipe Band" McGuirk's Ocean View
5. Recognition Letter – Eagle Scout Award Greg Gallagher
6. Dance Hall Permit "Victoria Inn" 430 High Street

Mr. Pierce MOTIONED to MOVE the Consent Agenda with the removal of item #2. Mr. Lally SECONDED.

VOTE: 5-0-0

X. Closing Comments

Mr. Griffin would like to say that Mr. Pierce is very passionate to the taxpayers of Hampton and he wants to say that he is also and just wants to make sure that the taxpayers are receiving the services they pay for.

XI. Adjournment

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

VOTE: 5-0-0

Chairman

Town of Hampton

AGENDA
Board of Selectmen
July 25, 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 Hearing "Establishment of Septic Disposal Rates" Article 37 2011 Town Meeting

II. Public Comment Period

III. Announcements and Community Calendar

IV. Appointments

1. Ed Tinker, Assessing
   a. 2010 Abatements – Listed under Consent Agenda
2. Chief Sullivan, Police Department
   a. Departmental Update
3. Ellen Goethel, Conservation Commission
   a. Batchelder Farm Conservation Easement

V. Minutes of July 11, 2011

VI. Town Manager's Report

1. A renewal of the Residuals Waste Disposal Agreement with Waste Management has been accomplished. The terms and conditions including costs are the same as in the prior five-year agreement. The renewal is for five years and handles all of our solids from the wastewater treatment plant.
2. I have drafted and forwarded to the Board a proposed letter to the State DOT regarding the erection of crosswalk signs on Ocean Boulevard from Boars Head to High Street. I would request the Board's permission for forward that letter to DOT.
3. At the July 13th meeting of the Southwest Regional Solid Waste District it was discussed that the current contract with Waste Management for the disposal of solid wastes will expire in 2015. The District would like to have the Towns position on offering additional solid waste services by contract through the District. I would appreciate the Boards consideration of that request. I did provide input that the Town

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will be examining the costs associated with our membership to determine if continued participation is financially warranted.

4. A bid was awarded to Pittsburg Networks of Manchester, NH for the purchase of 13 desktop computer systems for $9,165 as the low of four bidders.

VII. Old Business

1. MOU – Responsibilities between DRED and the Town of Hampton

VIII. New Business

1. Parking Amendment – Hobson Avenue "No Parking Designation"
2. Agreement Regarding Interest with HBVD
3. Bench Request at Bicentennial Park – Sally M. O'Connell
4. Christmas Parade Warrant Article
5. Establishment of Sewer Billing Rate
6. Declaration of Surplus Property and Obsolete Fire Alarm System Items
7. Award of Bid – Fire Department Generator
8. Award of Bid – Tree Work

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X. Closing Comments

XI. 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.