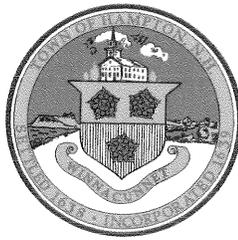


Town of Hampton



Hampton Board of Selectmen August 15, 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

6:15 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

Mr. Pierce asked if he could speak first. He thanked everyone for coming out to share their thoughts and reminded everyone that the real goal here is for everyone to recycle. He asked that when they make their comments they focus on the issues of recycling and fairness to all.

Chairman Nichols explained to everyone that the primary purpose of tonight's meeting is to have a work session to discuss trash/recycling policies with a goal of providing strategic direction to the DPW Director and the Town Manager in that area.

Charlie Preston made the following points: joined Recycling Committee to represent the people at the beach, eliminating waste by recycling, possibility of recycling dump stations for both the Town and the beach, recycling items like cardboard and junk mail, the need to unite and work together, the need for a definition of what is a commercial property, some examples on how we can be fair to all, tough job the Selectmen have and thanked the Board very much.

Bob Brown president of the Gables Condo Association would like clarification that what Mr. Pierce said was true that the Board has already decided that they will not pick up from Condos. Mr. Pierce believes this to be true since it is stated in the Condo docs given to the Planning Board. Mr. Griffin disagrees it has not been decided and many people are here tonight to make sure that their trash continues to be picked up. Mr. Brown explained that they bring their trash to the curb and it is picked up by the Town. He explained how they have in their condominium docs the trash/recycling guidelines put in place by the Town.

They are here to make sure that they continue to have trash/recycling pickup. They are wondering if they can purchase carts or not from the Town.

Chairman Nichols would suggest that they go ahead and purchase their carts. He also stated that he does not believe that he has heard from this Board that we should stop curbside pickup that is currently taking place. Mr. Brown also asked about having to pay for their carts.

Gary York, 407 Ocean Blvd, he is here tonight representing residents of Ocean Spray Condominiums. They pay an individual to bring the trash/recycling to the curb for them each week and curbside pickup is very important to them.

Chuck Rage, 121 Ocean Blvd, has a lot to say but will only comment on important issues. The few things that really concern him are: what happens if he buys the carts and then the Town decides to stop commercial pickup, initial concern with Town picking up recycling and the great job they have done, possible tax abatement if not picking up commercial trash, how he only puts out trash for 12 weeks, how commercial trash comes back up as a topic every few years, possible revenue loss from commercial recycling when going to Co-Op, do not need a lot of service during off season, like to see some concrete numbers and lastly please do not take away this service.

Doug Dodge, president of Salt Creek Condominiums, here to request that they receive the carts since they have not yet. Mr. Lally read a portion of the Warrant Article and wonders why they did not get them since they are single-family homes.

Mary-Louise Woolsey, 148 Little River Road, she debated the difference between a single family home and residence. She believes any owner occupied unit should receive carts and trash pickup. She commented on: fine tuning items in Town and how the Board should make these decisions as opposed to forming committees, review money saving factors, if going to pickup from businesses then businesses who dispose of their own waste should receive a credit and lastly the need to be fair in what they do.

Ed McDonald, 25 Epping Ave, explained the confusion with his property since he has three single-family units and one duplex. He only received one set of carts and was expecting five sets based on the language in the warrant article. He also mentioned some possible deals that the Town might wish to work out with the Condo Associations in Town.

Elizabeth Loveday, 27 Perkins Ave, expressed for the Board the financial burden if she is to have to dispose of her trash herself. Hopes the Town will continue to pickup her trash.

Kevin Delaney, representing Ocean Escape Condos, single-family units, and they did not receive carts.

Anne Hardy has a number of properties on the beach. She expressed confusion on who gets barrels. The job the guys are doing picking up recycling is great. How they were originally told that their taxes were to pay for trash/recycling and extra police coverage in the summer. She wants the carts.

Barbara Brucato, 520 Ocean Blvd, have always had trash/recycling pickup at the curb and would like to receive carts from the Town. She pointed out how many of the residents are not there year round. She thinks that they are sending out a bad message when they

discriminate against condominium associations. She does not think people from condominiums should be penalized.

Sharon Raymond, 2 Lamson Ln, expressed concern that she has not received her carts. She would suggest that maybe an announcement be made that the carts are still being delivered.

Carol Pierce, 73 Hampton Meadows, they contribute \$1M a year in taxes. She wonders if they bring their trash/recycling out to Drakeside Road would it be picked up since it was curbside.

Chairman Nichols thinks the answer is that when Hampton Meadows was incorporated part of the documents was that trash would be taken care of inside the condominium association. Mr. Welch confirmed this to be true. Mr. Lally pointed out that all the things being discussed tonight are in each association's condominium docs and if she would like to review the ones for Hampton Meadows, she can do so with the Planning Board.

Ken Vandola, 11 F Street, he thinks it would be a tremendous mistake to end the commercial pickup that the Town does. He commented how the Town does a great job picking up trash/recycling. He really does not have a problem buying his barrels but would like to remain status quo.

Karen Raynes, 89 Winnacunnet Road, representing Marelli's Market. She would like to talk about the downtown area since we have not heard about this area. She went through some of the things they are not seeing in this area such as street sweeping and police presence. She supports whatever the Town is doing but wants to make sure they are not forgotten.

Paula McGovern, 12 G Street Colonial Seaside Condos, they support recycling and actually go through trash to make sure it is in appropriate container. They are all set to purchase carts tomorrow but are concerned with what happens if the Board decides to no longer pick up commercial trash. Mr. Lally and Mr. Griffin both expressed support that if their trash is currently being picked up it will continue to be picked up.

Dean Merrill, 20 High Street, he would like to take the approach of curb appeal and the changes that would occur if commercial trash is picked up by various vendors.

Curtis Wallace, Ocean State Gaming, Ocean Blvd. He agrees with Dean Merrill about curb appeal. He commented on how they plan to be here year round. He urges the Board to keep everything the same.

Richard Gibbons, 235 Towle Farm Road, spoke on the confusion in who gets carts and who does not. He has a single family home and a separate building with a business downstairs and two apartments upstairs. He understands that he has to purchase carts for the business but thought he would get three sets for the residence. This did not happen and he would like the carts.

A resident spoke on how he thinks we should continue to collect from anyone we are currently collecting from.

Kris Erickson and Kim Minasalli both residents of Epping Ave and they feel that regardless of single family or not, all residence should get the carts.

II. Announcements and Community Calendar - None

III. Appointments

1. Trash and Recycling Policies Work Session

Chairman Nichols reiterated that the objective of the work session is to discuss trash and recycling policies with a goal of providing strategic direction to the Town Manager and DPW Director. He thinks there are two categories of issues one is who gets carts for free and who has to pay and the other issue is any recommendations as far as future strategies, which might represent a change to the policy.

Discussion on issue about who gets the carts for free:

Chairman Nichols suggested that we start with the simpler issue of who gets the carts for free. Mr. Noyes explained that they are currently being delivered to tax lots as that is how the warrant article is interpreted.

Mr. Lally does not think this is right since a tax lot could have a single family home and a duplex on the same lot.

Chairman Nichols explained that if there is a lot with one or two units they get the carts for free. If the lot has three or more units, they do not get the carts for free. Mr. Noyes clarified that this is what is being done. The Board agreed that they understand what is being done today.

Chairman Nichols asked if anyone would like to make a change to what is being done today.

Mr. Lally would propose that all single and two family residential locations should get carts for free. Chairman Nichols clarified that in the current policy carts are not given to three or four unit locations even if one unit were owner occupied.

Mr. Griffin asked about mix use such as a business on bottom and apartment upstairs.

Chairman Nichols feels that if it is a three family unit and one unit is owner occupied they should get one set of carts free.

Mr. Griffin thinks that we will find that there have been a lot of errors made in distribution.

Mr. Pierce is a little confused on single or two families on the same lot.

Mr. Lally commented that he is not including condominium associations. Chairman Nichols wonders if Mr. Lally would give free carts to associations such as the Gables.

Chairman Nichols stated that there is not going to be money left in the warrant article to fund the carts if the Board broadens the scopes of who gets the carts for free. He expressed concern with funding the carts.

Chairman Nichols believes that if we wish to expand the definition to include the properties that are more than duplexes and one of the units of a three or four family unit is owner occupied than they should get one set of carts for free for the owner.

Mr. Noyes is not too concerned with the funding since the money came out of the account to purchase the carts for the businesses and it will be going back into the account when they purchase the carts. He is not sure that this will be a financial burden since we are probably talking about a minimum of \$20,000.

Chairman Nichols reiterated that what he is proposing is that above delivering to single and two family properties that we add to that properties that are more than 2 units and one unit is owner occupied would receive one set of carts. This definition does not include condominium associations. Mr. Noyes understands the definition but from the phone calls they are getting we will still have many unhappy people who think we are not being fair. Chairman Nichols wonders if he has a sense of what it would cost to provide carts to all residential properties excluding commercial properties. They tried to work on this today but it is very difficult to calculate. Chairman Nichols thinks that if we expand the definition too much we will not have the financial ability to do this.

Mr. Lally reread the article in regards to single and two family locations not lots.

Mr. Znoj asked about the situation with Mr. Gibbons and he believes that the two rental units above the commercial location would not get carts since this is commercial. He does think that he should get carts for his owner occupied single unit. Mr. Pierce thinks that if we go along with Chairman Nichols proposal this would work for Mr. Gibbons.

Mr. Znoj brought up the Ed McDonald scenario, which is one lot with two single-family homes and a second lot with a duplex and single unit. On the lot with the two single-family units, he would get two sets of carts. On the second lot with the single unit and duplex unit would be considered three units and would not get carts for free according to Chairman Nichols.

Chairman Nichols clarified that we are expanding the scope of what is currently being done to include locations with three or more units and one unit is owner occupied would get one set of carts for free.

Mr. Gibbons ask if the warrant article is law and if so how can the Board change the article. Chairman Nichols does not think that the Board is changing anything but instead interpreting the meaning of the article. Mr. Gibbons does not agree since he feels that he a single dwelling and a duplex so he should get three sets of carts.

Chairman Nichols reiterated that he has a proposal on the table and he wonders if anyone else would like to comment.

Mr. Workman is now present and would like to comment. His location has one home and 17 single units all of which are owner occupied. They bring the trash to the curb and it is picked up. There condominium docs have nothing in them about trash. They will not be getting carts for free under either of these definitions.

Mr. Lally commented that he made a proposal earlier to distribute carts to all single and two family locations not lots.

Chairman Nichols is proposing that we add to what we are currently doing any 3 units or larger owner occupied unit would get 2 carts. Mr. Lally agrees with this but still feels that there is a problem with the single and two family locations.

Chairman Nichols MOTIONED. "On the subject of free distribution of carts; we add to the single and two family, the distribution of one set of carts to the properties which are owner occupied and that are greater than the two family use description. These properties would receive one set of carts with the funding to come out of the DPW Operating Budget." Mr. Znoj SECONDED.

VOTE: 4-1(Lally)-0

The Board discussed four units that are individually owner occupied and it was described that this would be considered an association.

Mr. Lally stated that in the spirit of this article the Board never considered condominium associations.

Second discussion on changes to trash/recycling policy

Chairman Nichols explained that several weeks ago we asked Mr. Noyes and Mr. Welch to put together a plan. He feels that we need to provide them with high-level direction of what the Board would like to accomplish with this plan. Chairman Nichols would like to start with some combination of Mr. Welch and Mr. Noyes telling the Board what they would like to get out of this discussion so that they can walk away with a general understanding of what they are being asked to do.

Mr. Noyes commented that they are currently lacking an operational plan and it is needed. He would like to know what is on the table for consideration and what is off the table for consideration. An example given was pay for service or pay for bags. He is not making any recommendations but giving examples of options to see what the Board is interested in doing. He feels he will need about 2 months to look at this whole process. He talked about wanting to look at 2 weeks in season and 2 weeks off-season.

Discussion

Mr. Griffin feels that this should be held off until wintertime so that Mr. Noyes can see what it is like in the winter.

Chairman Nichols thinks that the middle of October would be a fair amount of time to report to the Board. He thinks that it is important to let Mr. Noyes know what is on the table and what is not before he goes out and spends a lot of time on something that the Board is against.

Chairman Nichols commented that he heard a lot of anxiety tonight about concerns that the Selectmen are going to eliminate commercial trash pickup at the beach. He has heard enough over the past couple of years on this and from a business standpoint, it does not make sense to stop this service. The cost of trash and recycling pickup is paid for in the tax rate yet we pick up from around 6,000 locations and according to the assessing database, there are 9,000 locations in Town. Therefore, there are inequities in the current plan. He would propose that the direction given to Mr. Noyes is to identify the inequities associated with the current policy and make changes to the policy to impact the fairness aspect, there should be a long term benefit of aggregate cost reduction to property owners in improvement and sustainability and incentives in the plan should be provided that result in more tonnage going into recycling and less tonnage going into trash. He would also propose a suggestion in regards to removing the cost of trash/recycling from the tax rate (whether it be partially or completely) by some sort of pay to throw plan which would affect businesses and residents equally. A proposal this big would need to go before the voters. He believes the more you can place the cost of trash/recycling with the people who are generating it as opposed to just being in the tax rate the more likely you are going to reduce the cost.

Mr. Lally agrees that a plan such as pay to throw should be on the table but would need to go to Town Meeting for vote. He commented on how Mr. Noyes once told them how when people have to pay for bags the recycling rate goes up dramatically.

Mr. Griffin wonders what all this means to Mr. Noyes.

Chairman Nichols wonders if this provides him with the direction, he needs to go off and do something.

Mr. Noyes stated that it absolutely does. He wants to do it right and does not want to do all this work and a good report only to have them say he should not have even looked at that in the first place.

Mr. Lally commented on how this has happened in this Town a lot in the past.

Chairman Nichols thinks that some of the things that can play out are: Mr. Noyes may come back and suggest a sticker type program where residents put stickers on their rubbish and possibly even stickers on their recycling at a much lower rate.

Mr. Griffin clarified that he wants to see everyone treated exactly the same. Chairman Nichols added that this would not change anything for large condominium associations who from the start have had to take care of their own trash. On the other hand, smaller associations such as the Gables would be treated like eight single-family homes.

Chairman Nichols thinks that a pay to throw approach is the way to increase recycling as Mr. Znoj has been talking about.

Mr. Lally brought up the solid waste ordinance and how by 2012 the goal was to have 50% rate of recycling.

Mr. Griffin just wants to make sure no one is telling Mr. Noyes how to do his job.

Mr. Znoj reiterated that he would like to see Mr. Noyes come back with all options.

Motion by Chairman Nichols for the direction to the DPW Director regarding the Trash and recycling program.

1. Inequities associated with current policies should be identified; changes to current policies should positively impact the fairness aspect.
2. There should be a long-term benefit of an aggregate cost reduction to property owners and improvement in sustainability.
3. Incentives should be provided that result in more tonnage going into recycling and less tonnage into trash, as well as other waste minimization strategies.
4. Removing the cost of trash & recycling from the tax rate, partially or completely, via some sort of pay to throw system should be on the table and implemented in a consistent manner across all property classes.
5. A proposal that represents a significant change from current practice should go before the voters.

This directive would not affect (or change) any of the Condominium Associations who are required through the Planning Board Conditions of Approval (for their Condominium developments) to dispose of their trash and recycling privately. Mr. Znoj SECONDED.

Mr. Noyes is fine with this but would like a date that the Board would like this information by. Mr. Noyes was asked to come to the Boards meeting on October 17th and he will have the information to the Board the week before the meeting for their review. Chairman Nichols also suggested that Mr. Noyes budget discussion be pushed out has he requested at the beginning of the meeting tonight. Mr. Welch will make sure this is taken care of.

2. Keith Noyes, DPW Director

1. Departmental Update

Mr. Noyes provided the Board with an outline. The first couple of weeks were spent getting to know his staff and employees and they are a great group of people. He has had a tour of the WWTP, tour of Transfer Station and rode the back of a packer one morning down at the beach. His time has been spent: working on the trash program and the sewer system. He and Mr. Jacobs have spent a lot of time at the WWTP and Mr. Znoj has been very helpful. They plan to use the money from the warrant article to fund a new press this will not include any additions to the building at this time. He has set the WWTP up into essentially 3 phases: the first thing would be the press, the second would be starting work on Church Street pump station and third is they have entered into a contract for the odor control study. He went into further details of the state of the Church Street pump station and things he is doing to work on replacing the pump station. Another item he has been working on is the preparation and submittal of the 2012 budget. He went through some things they have been looking at which are: storm drainage, destruction of the old Town Hall, taking the bridge abutments on Drakeside Road down to DPW with possibilities of reusing them and working with Conservation Commission to see if these abutments can be used in the dam design. They have completed the Mill Road sidewalk. They are putting together the pavement/resurfacing bid and the work will be done this fall. They have prepared the initial response to the DES order and need to get back to them on September 1st with the second portion of responding to that order. He went into some of the details of the criteria in the order for the Board one of which they will be meeting by hiring the mechanic at the WWTP. They will be having a pre-construction meeting on the Brown Ave tide gate this coming Friday. At the WWTP, they are working on the operations and maintenance program, the sludge process removal plan and parts inventory. In the Highway Department normal summer time activities including mowing and implementation of Town recycling pickup service. At the Transfer Station just managing the influx of recyclables we are now experiencing and just dealing with the interim period before we get the new trailers. In Sewer and Drains just performing normal activities and maintenance. Mr. Noyes would like to use some money in the DPW engineering budget to do a survey and conceptual plans for improvements to five corners intersection as well as the Winnacunnet and Landing Road intersection. With an eye towards going to a warrant article for improvements to one of the two intersections.

Discussion

Mr. Pierce wants to compliment them on the great job they have done getting the recycling picked up.

Mr. Znoj asked how the new trash trucks are working and they are working well. They are working out how they work and the best routes to take. The concept of having one person on

a truck is not going to work with the way that the routes are currently set up. There are also issues down at the beach. He has talked to his staff and this winter they plan to look at all the routes and possibly make some new routes.

Mr. Znoj asked if we have the new roll-offs and they are coming at the end of the month.

Mr. Pierce confirmed that they are planning to use at least one of the old packers for the foreseeable future.

Mr. Griffin asked about the trailer park and it is staying status quo for the time being. There was a discussion on where the trash is located in the park and that one of the new packers will definitely not fit into the park.

Mr. Pierce is a little confused since he thought the plan was to add this new press and not replace the current press with the purpose of having a backup system. Mr. Znoj explained that the new press is a six chamber press and we currently only have four chambers. The new press will work for over 30 years as far as Mr. Znoj is concerned. Mr. Pierce reminded everyone of the problem we had last summer when the press failed and that is why he was under the impression that we were going to have two presses one being used as a backup. Mr. Znoj reminded everyone that the press failed last year since it had not had preventive maintenance performed on it. Mr. Znoj explained that they have been into multiple WWTP and nobody has duplicate presses. Mr. Noyes is comfortable with this plan and with proper maintenance, the press will work properly.

Chairman Nichols asked who is doing the odor study and it is GHD. Mr. Noyes will be watching and gauging their work to make sure they are doing things right. He has not worked with this company before but feels that they should be given a chance.

Mr. Znoj asked what was going to be done on Drakeside Road once the abutments are taken down and Mr. Welch commented it would be a full width road at that point.

Mr. Pierce asked about drainage designs and preliminary designs have come back and suggestions were made by Mr. Noyes, his staff and Mr. Welch.

Mr. Pierce asked about the position at the Transfer Station and Mr. Noyes hopes to start conducting interviews at the end of this week.

Chairman Nichols asked if the head wall has been poured on the Brown Ave tide gate and Mr. Welch and Mr. Noyes do believe that this has been done.

Mr. Znoj asked when the Cogger Street work is going to be done. Mr. Noyes explained they have done some work down there and Mr. Jacobs is working to figure out the best way to fix this problem. He will get back to Mr. Jacobs and report to the Board. Mr. Welch added that he and Mr. Jacobs spent 1 ½ hours down there and he is working out some ideas on paper.

Mr. Griffin thinks it is a great idea to do a study of five corners and mentioned this is something that has been going around just like trash. Mr. Pierce commented on the number of accidents at this location. Mr. Pierce appreciates him looking at this.

IV. Old Business

1. Outdoor Seating Service of Liquor Request by Coconut'z

Request for Outdoor Dining/Service of Liquor at 595 Ocean Blvd. Mr. Welch explained that this is a letter of no objection to have liquor service on the two outside decks.

Discussion

Mr. Pierce confirmed that all the paperwork and permits are in place.

Mr. Griffin asked about the three condominiums on the south side of Coconut'z and if they will get carts. Mr. Welch believes that these are condominiums so they will not get carts for free.

Mr. Lally MOTIONED to approve the request of Jessica Lapa for the Outdoor Seating Service of Liquor at 595 Ocean Blvd. Mr. Pierce SECONDED.

VOTE: 5-0-0

2. Reach the Beach Relay use of the Ashworth Parking lot (overnight) beginning on Thursday thru Saturday, September 15-17.

Mr. Welch explained that the original request was to use the lot only on Saturday during the day. Now they wish to use the lot for three days and do not plan to be out of the lot until 8 pm on Saturday. Unfortunately, there is a concert on Saturday night. The Recreation Department would like to have the lot available at 5 pm.

Discussion

Mr. Lally commented that we make money on these shows.

Mr. Welch stated that the suggestion was made today that they use the State Park since that is where the race ends.

The Board agreed that using the State Park is a good suggestion and they all agreed that they do not want to lose revenue for the Town.

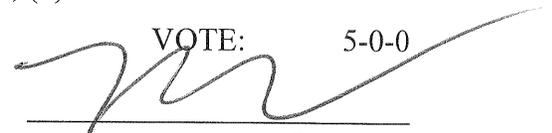
V. New Business – None

VI. Closing Comments – None

VII. Adjournment

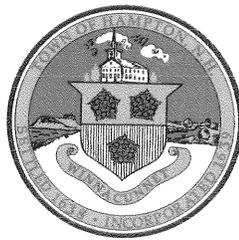
A motion made by Chairman Nichols and seconded by Mr. Pierce and unanimously by roll call vote entered into Nonpublic session under RSA 91-A:3, II, (d).

VOTE: 5-0-0



Chairman

Town of Hampton



AGENDA

Board of Selectmen

August 15, 2011

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

6:15 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. Trash and Recycling Policies Work Session
 2. Keith Noyes, DPW Director
 - a. Departmental Update
- IV. Old Business
- V. New Business
- VI. Closing Comments
- VII. 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**