

Town of Hampton



Hampton Board of Selectmen Minutes of November 14, 2011

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

7:00 PM Public Meeting – Selectmen’s Meeting Room, Downstairs Town Offices

SALUTE TO THE FLAG

I. Public Hearing RSA 41:14-a “Acceptances of Falcone Circle Easements (2)”

Chairman Nichols explained that this is the second of two hearings and he turned it over to Atty. Gearreald for further information. Atty. Gearreald explained again that these easements are essentially access easements for existing drainage infrastructure areas. One of the lots is clearly a Residence A lot and the other is partially in Residence A and partially in Industrial zone. He discussed the lot size and how each of these lots complies with the minimum lot size to build. Again, the Planning Board turned the plan down and the court ruled that it must be approved. The drainage easements were shown on the plan but not a lot of attention was paid to them by the Planning Board since they turned the plan down. The language he has drafted is suitable for Public Works, the Town would not be assuming a primary role for the maintenance of these drains, these are essentially pipes that the landowners will be responsible for keeping clear and the Town has a backup role and if funds are expended by the Town they can be charged back to the landowner.

Comments from the Public

Arthur Moody commented how this company went to court since the Planning Board would not approve the plans and wonders why we did not appeal it to Supreme Court. He is not sure why the Town is accepting responsibility to be a backup for drainage maintenance. He reminded everyone of a similar situation a few years back. He wants to make it known that he is against this and he is not sure that this RSA covers items like this easement.

Comments from the Board

Mr. Znoj thinks that the Board has been very well educated and Atty. Gearreald has been very informative of how the easement works.

Mr. Welch expressed the need to test these drains and the importance of having the easements in place and the authority for the Town to go on this property.

Mr. Lally to Mr. Moody's point of indemnification and how we stand on that. Mr. Welch turned that question over to Atty. Gearreald for explanation.

Atty. Gearreald explained that this is actually structures [drainage structures] that feed from the whole development that were set up a number of years ago and there [the drainage structures} preservation is important. He does not believe that the standard document that the Planning Board uses; which what we key into; addresses the liability issue, but never the less, a landowner who knows that there are people who come into the property for various reasons, would have liability for known, or should have known hazards, even without agreeing to it. Discussion on backup rules that are in place for any other drainage easements on developments similar to this one. Mr. Lally confirmed with Atty. Gearreald that we (the Town) does not have a problem with having no written agreements for easements, if we have to go onto these properties and do the work.

Mr. Pierce wonders if the court specified that we had to do it this way and be the backup for these drains. Atty. Gearreald explained that the court approved the plan itself. These two easements were not the focus of the Planning Board. Atty. Gearreald expressed the importance of the Town being able to perform maintenance if needed on these drains and therefore the need for the easement.

II. Public Comment Period

Art Gopalan, 20 Windmill Lane, commented on an article in the paper in regards to bag and tag which would require the Town to pay to throw the trash. He remembers when mandatory recycling came into play and the expected revenue for the Town for this being near \$1M. He would like to know what the Town is actually making in revenue from recycling. He can see three scenarios taking place if the Town is to go with this bag and tag program which include: one reason would be to enhance the recycling percentage by charging for trash, another reason may be to generate more revenues and the third reason might be that there is a sense of fairness involved if you are looking at the recent discussion in regards to condo associations having to pay for their own trash. He commented on the recycling and how it is pretty complicated in regards to what can be recycled and thinks the list needs to be made simpler for the average person to understand. If people are being charged for trash you may end up with more issues where people are putting things in recycling that do not belong. He thinks the Board needs to consider the motivating factor. He also made a comparison on how the Town does not charge individually for sewer usage. Chairman Nichols commented on how Hampton is one of the few communities in the State who does not charge individually for sewer but instead has it worked into the tax rate.

Carolyn Fetter, 206 Woodland Road, thanked the Board for putting the cell phone tower on the agenda to be discussed tonight. She wants to make sure everyone understands that a few years ago the Town made the decision to do away with the fire alarm boxes however she does not believe that the residents ever expected 3 or 4 years later that there would still be no way to call for help during a power outage. There are significant portions of Town that do not get cell phone service and when there is no dial tone there is no way to call for help. She

wanted to make sure that everyone understands that it is not necessarily about a cell tower but instead how do we as residents call for help if there is an issue.

Richard Reniere, 29 Highland Ave, would like to comment on item 2 on the Town Manager's report in regards to the winter parking ban. He would like to confirm that after seven in the morning residents can return their cars back to the street unless there is a snow emergency. Mr. Welch confirmed this to be true and explained what constitutes a snow emergency. They also discussed that during a snow emergency residents may park in the municipal lots, which they went through the locations. Mr. Reniere is requesting that the Church Street Municipal Lot be plowed during a snow emergency so that residents can park there.

Bill Bowley commented on tag and bag and is not sure what part of no we do not understand since it has been voted down twice. He commented on the large amount of money that has been spent recently on this new system and he strongly believes that we need to give this system a chance before we go and try to change things again.

Arthur Moody would like to comment on why we do not have a sewer usage fee and he went into the history for the Board. He explained how Hampton is exempt from the sewer usage fee because we went to congress many years ago to be exempt from this fee. He also questioned if the Town had anything to do with the telephone being removed from in front of the Old Town Hall and Mr. Welch does not believe that the Town had anything to do with this. He commented on the parking spaces in front of the Old Town Hall and Court House. He noticed that tomorrow they are going to pave the tennis court parking lot and the loop road and he confirmed that the money for this is coming from the special revenue fund for parking.

Jay Denier, 206 Woodland Road, would also like to thank the Board for putting the item of the cell phone tower on the agenda. He spoke on how important this is and how many people do not want this in their back yard. He suggested some alternatives such as a smaller tower or the possibility of putting it on an existing telephone pole.

III. Announcements and Community Calendar

Mr. Znoj has a few items. This coming Saturday from 9 to 2:30 is the Holly Day Fair at Miraculous Medal Church followed by a spaghetti dinner at 4:30. He attended the Veterans Day Observances at the VFW last Friday and they were very well done.

Mr. Lally announced that on November 16th the Hampton Fire Department Station 2 on Winnacunnet Road there is an autism awareness registration from 5:30 to 7:30. He read how important it is to do this to ensure your child's safety in an emergency at home so that the first responders are aware of this before they arrive at your home.

IV. Appointments

Chairman Nichols explained that before the first appointment he would like to slide a consent agenda item forward. The second half 2011 tax warrant and he has asked the Assessor to come tonight to give a brief presentation on this. Mr. Tinker explained that the warrant was completed on Friday and copies of the information were provided to the Board. They took the updated gross value/taxable value and then they subtracted the exempt properties as well as any exemptions/credits to come up with the tax value. The tax value this year is a little

less than last year based on the revaluation. He explained why the tax value is greater than what the MS1 form stated. The net tax bill for the year is \$48,349,638. After subtracting the bill from the spring you come up with a tax due amount of \$23,647,108 which is what the Board has in front of them tonight. He discussed the refunds due and the effect they had on the revaluations and how some properties paid enough in their first bill so that they do not have taxes due with this bill and there will be some residents receiving refunds. The bills will go out on this Friday the 18th.

Chairman Nichols commented on the corrections of errors that Mr. Tinker discussed and how this is very normal. He added that essentially, what they are being asked to approve tonight is the second half tax warrant for \$24,443,597 and this is essentially a list of all the properties that make up the tax bills.

Chairman Nichols MOTIONED to approve the second half tax warrant. Mr. Griffin SECONDED.

VOTE: 5-0-0

1. Jane Marzinzik, Town Clerk
 - a. Registration Holders

Mrs. Marzinzik here tonight with a couple of proposals. She explained that people come to them looking for a rectangular shape holder for their registrations since they no longer fit in the square holders. She shared an example of one of these that she received from the Town Clerk conference she attended. She contacted the company and she listed out the price based on the quantities ordered. It would be her suggestion that they purchase them and sell them for \$1 each.

Discussion

Chairman Nichols wonders how many cars we have registered and how do we decide how many to order. Mrs. Marzinzik is suggesting purchasing 5500 to start and see how they sell.

Mr. Znoj MOTIONED to purchase 5500 car registration holders. Mr. Lally SECONDED.

VOTE: 5-0-0

- b. Secondary Beach Parking and Transfer Station Decals

Mrs. Marzinzik explained that this is a joint effort with Mrs. Martin who she asked to come forward at this time. The other item residents are asking about is a little more exciting parking sticker. She provided the Board with some examples of decals. If we ordered the decals, she would suggest selling them for \$10 and the other decals would still be available for free. She went on to suggest that after covering the cost of the new decal the remainder of the money would be set aside in a fund in the Recreation Department and used as a scholarship fund for kids who cannot afford camp or other Recreation sponsored events. Mrs. Marzinzik stated that she has spoken with Mr. Schwotzer and Mr. Welch and they both agree that it can work. Mrs. Martin commented that the scholarship program that used to be available through Rockingham County is no longer available and this would be a way to start up a scholarship fund.

Discussion

Mr. Znoj confirmed that the new decal would be for both parking and the dump.

Chairman Nichols stated it would be similar to the moose plate. He also asked how many stickers we currently order and give out. Mrs. Marzinzik stated that she currently orders 25,000 and she has some left over. She used to order 20,000 but the price difference for 25,000 was significant. Chairman Nichols provided a scenario of the possibility of selling 25% of the new decals and earning up to \$50,000. Mrs. Martin reminded everyone that the money earned would first have to offset the cost of the decals and then the remainder into the fund. Mrs. Martin also mentioned that in the past the scholarship money that she did receive was in the amount of \$20,000. Mrs. Marzinzik broke down the cost of the decals for the Board. She would suggest ordering 5,000 as a starting point.

Mr. Griffin wonders about being able to write the year in but Mrs. Marzinzik stated that she has spoken with Chief Sullivan and he has suggested that the color of the new decal match the color of the current free sticker to make things easier for the officers.

Mr. Griffin MOTIONED to approve the purchasing of the new parking/dump sticker in a quantity of 5,000. Mr. Pierce SECONDED.

VOTE: 5-0-0

Mrs. Marzinzik would like to get back to Chairman Nichols in regards to a question he asked about what the Town Clerk's Office does to let residents know where to place these stickers. She explained that she has purchased a stamp and on the back of each sticker, she stamps "sticker must be placed on windshield driver side bottom corner." The next batch of stickers she buys will have this printed on the back. They do also tell the residents when they are registering their cars.

2. Michael Schwotzer
 - a. Monthly Financials

Mr. Schwotzer explained that the report he is going over tonight is for the month of October and can be found on the Town website. This is the tenth report of 2011 with a monthly target of 83.3%. The actual expenditures now reflect the end of the summer season and so the accuracy of the forecasted yearend total is becoming less suspect.

The motor vehicle income total came in at \$210.6k, which is \$3k below budget. On a year-to-date basis, it now is 1.7% below target, which is still less than half of the variance experienced a year ago. Included in this month's total income of \$540.8k was: Interest on taxes @ \$17k; Building permits @ \$23k; Federal Grant repayment @ \$53k; NH Highway Subsidy @ \$95k; Other State Grants @ \$22k; Departmental @ \$58k and the Real Estate Trust Fund @ \$60k.

The Expense summary shows the year to date expenses by department. At the end of October, the operating departments (without debt service) were 79% of the budget, which is below the month's target of 83%. This difference is factored into the calculation of the 2011 Year End "Savings" estimate of \$594k. This is an increase of \$70k over last month's estimate. Included in the calculation is the \$99k cost for the additional "Carts" which was designated to come from year-end savings. As stated above, the accuracy of this forecast is still suspect due to the compounding effect of using the higher summer costs. For comparison purposes, last year's estimate at this time was \$1.484k or 2 ½ times bigger. The Finance department is slightly over its YTD budget because of two accounts being driven by other groups. These are Registry of Deeds and Postage. In Management Information

Systems, it is hoped that a review of the open 2011 Po's may reveal that some listed can be closed out. If that is true, it will reduce the forecasted end of year over budget situation caused by the unexpectedly high Repairs & Maintenance costs. In Personnel Administration, the YTD retirement expenses for Police and Fire are showing the full impact of the legislative changes to the retirement system rates. The offset to these accounts is in the Group I (employees) expense which had its rate lowered from 11.1% to 8.8%. In Municipal Insurance, Health Insurance continues to be under budget through October. The renewal rates for 2012 have been received at a net overall increase of only 1.8%. This resulted in lowering the initial 2012 budget estimate by almost \$174k. He did point out that most Town's did go up by around 8%, which is the number he used when estimating cost for the budget. The Worker's Comp mod rate for 2012 was increased resulting in an increase to the initial 2012 estimate by almost \$66k. These two accounts alone account for 13% of the operating budget. The overall Police Department is running at 80.5% of budget, which equates to \$102k below at the end of October. Almost half of this amount will be used to pay for the two new Ford Crown Vic cruisers approved for early purchase due to the model being discontinued. The YTD costs for summer coverage was 77% of budget. The overall Fire Department is running at 75.2% of budget, which equates to \$242k below at the end of October. Of that total, \$80k will be paid in November for Holiday Pay (annual expense). The search for a new Deputy Fire Chief continues to progress but the cash effect of the vacancy is evident in the Administration Regular Wages. FD OT Expense is almost 5% below its YTD target. Highways & Streets is \$336k below the October budget target in total. This section of Public Works has some very large dollar expense lines whose funds haven't been committed due to changing priorities/projects. Municipal Sanitation is 7% of \$253k below the October budget target in total. The Welfare Direct Assistance actual is showing \$24k below the budgeted level. In the Capital Outlay/Warrant Articles section, payments to the Road Improvements/DPW Equipment Capital Reserves (\$600k) will not be funded until later in the year so to conserve pre-tax bill season cash flow.

Discussion

Chairman Nichols confirmed that many of the other January renewals with LGC actually went up by around 8%.

Mr. Schwotzer would like to provide answers to questions asked by Mr. Znoj. The first question had to do with what has the State given us for revenue for trash and waste water processing and we have billed the normal \$10,000 for beach sewer and are still waiting for slips to bill DRED for trash. He also asked several questions about specific accounts including: a Federal grant related to Sleepnet which we received \$395k as a pass through and \$392k went out and \$3k remained to cover our cost, other State revenues includes \$60,841 for a State grant for costs associated with closed land fill, misc. income billed is for non-reoccurring bills that don't fit into any of the income categories, the \$99k for carts should come from surplus and not DPW expense account which Mr. Schwotzer explained how it must come from an expense account, voter registration wages have not been spent because these are one time payments that go out in December, MIS repairs \$9k needs to be reclassified to Replacement Equipment, Lifeguards are not located in the Recreation budget but will be moved there next year, the Animal Control truck is fine, provided a status on the warrant articles, municipal insurance and workers comp will be increased/decreased by the

Budget Committee to reflect the new rates and the Chief is going to review if there is enough money in the detail fund to purchase a cruiser.

There was a discussion on the difference between surplus, year-end savings and Undesignated Fund Balance.

They had a discussion on the how the Capital Reserve funding works and sending money to the Trustees of the Trust Fund. They discussed paving of roads and how the money is not spent over the course of the year and Mr. Znoj and Mr. Pierce would like to see over the course of the year what is being done and spent on paving/reconstruction of the roads. They discussed all the funds that the Trustees of the Trust Funds handle.

Chairman Nichols would like to talk about the Compensated Leave Fund warrant article. He asked Mr. Schwotzer to discuss some of the reasons as to why we might want to do this. Mr. Schwotzer explained that we currently have a \$1.2M unfunded liability, which is the accrued vacation, and sick leave that is on the books for current employees that if they retire we will pay that money out. Yearly we budget \$212,000 and we average about \$200,000 a year. This is a large unfunded balance and that is why they have put in the warrant article to start a fund to handle this liability. There is also the hope that eventually this could be used for other employee things such as the spiking charge. Chairman Nichols pointed out that we could be hit with spiking charges as early as July of 2012. Mr. Lally expressed concerns with having this warrant article being voted down and the “no” means “no” law and what happens when someone decides to retire can we pay them. Chairman Nichols explained that people would be voting to put a set amount of money into this fund not whether or not to pay an employee leave balances owed upon retirement. They also discussed how there is money in the budget and that is where the employee would be paid from. Chairman Nichols shared the different ways that this can be funded. Chairman Nichols explained how this fund can help in years when cost for payouts is higher than what is in the budget the money can be taken from this fund. The compensated leave fund was passed in 2009 and now the Board needs to decide how to fund it, change some of the language to include all cost related to end of career and in a year when we spend less than what is budgeted in operating this amount can be moved to this fund. Mr. Welch explained the ways you can go about moving money left over from the operating budget into the fund. Mr. Pierce wonders what the limit would be. Mr. Znoj wonders how much we are talking about and we are already asking for \$212,000. Mr. Znoj would like to see some actuals over the last 5 years and who is eligible. Mr. Schwotzer will do an analysis and come back to the Board. Mr. Griffin reminded everyone of the need to reduce the number of warrant articles.

3. Keith Noyes

a. Bag and Throw Pay-As-You-Throw (PAYT)

Mr. Noyes presented to the Board a power point presentation and went through some of the challenges Hampton is facing in waste management, which includes the following: increasing costs of collection and disposal services, public-sector pressure to reduce and control taxes, marginal recycling rate and inequitable cost sharing. He was directed by the Board to review the present trash and recycling program and present options for consideration that include the following 4 points. (1) Identifying inequities associated with current policies, (2) Ensure a long-term benefit of aggregate cost reduction and improve sustainability, (3) Create incentives to increase recycling and minimize trash disposal and (4)

Remove the cost of trash and recycling from the tax rate partially or completely and (5) include some sort of “pay as you throw” option. Paying for waste disposal what are the choices – Tax Base (general fund), Flat fee (subscription service) and User fee (pay-as-you-throw). The benefits of pay-as-you-throw include equity, environmental sustainability, and economic savings. He showed a map of the pay-as-you-throw communities across the country. How do PAYT programs work: pay for solid waste service based on the volume of solid waste thrown out, pay for waste like a utility and residents’ only pay for what they use. Benefits of PAYT bag system: compatible with existing equipment and transfer station, no capital cost, unit based pricing, does not exclude businesses or seasonal rentals, provides quantity control and businesses and condos with private trash collection would not be subsidizing properties on town pickup. Reasons why switch to the PAYT program: increases recycling and waste diversion, fairness and saves tax dollars. How it would work in Hampton: the program would start in the fall of 2012, rubbish would be disposed of in purchased 15 or 33-gallon bags, bags would be sold at local stores and the transfer station, bags would be placed in carts and placed curbside or brought to the transfer station, initial cost of bags would be \$2.00 for 33-gallon and \$1.25 for 15-gallon for curbside service and \$1.50 per 33-gallon bag for Transfer Station drop off, cost of bags would be reviewed annually starting at the end of 2013 and recycling would remain a free service. There is a short video available on the Town website.

Discussion

Mr. Pierce wonders what quantity control means and Mr. Noyes shows how the bags must be tied to control quantities. Mr. Pierce wonders what the bags do at the landfill and they decompose in the same manner as any other trash.

Mr. Pierce expressed concern with how long it would take him to fill a 33-gallon bag.

Mr. Griffin wonders how you can stop people from just leaving their trash all over the place. Mr. Noyes stated how this is a problem in every community and he went into details on how this can be enforced.

Mr. Noyes pointed out since there is no capital investment involved the Town can easily revert back to the previous system.

Chairman Nichols commented on how in Exeter there was a warrant article to do away with the PAYT program and the warrant article was voted down.

Mr. Lally wonders what stops someone from sneaking a kitchen trash bag into their cart and Mr. Noyes pointed out that there are cameras on the trucks.

Mr. Griffin thanked Mr. Noyes for all the work he has put into this at the request of this Board but he is totally against this program and it has been turned down by the voters before. He thinks we need to do a better job encouraging recycling. He thinks this is a back door approach by this Board to get what they want.

Mr. Pierce wonders about the revenue side versus the expense side and provided an example on how much he would spend each year and wonders how much he would save on his tax bill. Mr. Noyes and Mr. Schwotzer have run some numbers and using anything greater than one 33-gallon bag a week would result in savings. If you use one bag a week, you will break even so to speak.

Chairman Nichols provided an example on how the tax bills would be impacted. He went through how it would affect the average person's tax bill and others.

Mr. Znoj would expect to see a decrease in the tipping fees and an increase in revenue from recycling.

Chairman Nichols pointed out some current inequities situations and solutions in the PAYT program.

Mr. Pierce has always felt that the Town is here to provide a service and he wants his trash bill in his tax bill. He likes the idea of encouraging people to recycle.

Mrs. Ansaldo-Church, a member of the Recycling Committee spoke in favor of this PAYT program. She went on to explain how the Recycling Committee supports this system and how it will help encourage people to recycle. She reminded everyone how this program is working across the country. This program will jump-start the community to increase recycling. She also stated how the committee feels that it is great to work with Mr. Noyes on this program.

Mr. Reniere confirmed that they do not have to bag recycling and wonders why he would have to use this bag instead of a 33-gallon bag from Hannaford.

Mr. Noyes stated that it is for quality control, everyone paying the same for the same amount of volume. Mr. Reniere also commented on the inequity of the large volume generator and a low generator, and it is the same inequity as for paying for schools when you do not have a child in the system and this is another type of inequity.

Mr. Pierce ask the question of are there an additional size bags. Mr. Noyes stated that there are two size bags and people can use two different size bags in their cart. Mr. Noyes shared how the bags would be purchased and revenue received by the Town.

Mr. Znoj commented that we would get revenue from this, lower tipping fees and increase recycling.

Mr. Griffin thinks that we have already started something new and we need to give it a chance for about 2 years before jumping into something.

Chairman Nichols thinks that there are more positive than negative components on this program.

Diandra Sanphy, 34 Langdale Drive, spoke on how we have already voted on this new trash program for Hampton. She has come from a community who did PAYT program and the problems associated with this type of program. She does not believe that they will see a decrease in their taxes as stated here tonight. She thinks this a terrible idea. She would suggest that they look into how they can better increase the recycling. She believes that this is an ill-conceived plan and not create another warrant article.

Chairman Nichols MOTIONED to move forward with a Selectmen sponsored warrant article to give the voters a choice on the PAYT program. MOTION FAILED FOR LACK OF A SECOND.

Mr. Griffin does not think that this is a warrant article that should be sponsored by the Board.

Mr. Znoj would like to amend the motion and have people come in and comment on this.

Mr. Lally would like to look at this a little closer and wonder what is going to happen on the beach in the summer. He understands how this could work in other communities but once again Hampton is different. Just like gambling and the line given that jobs will be created and taxes will go down, it does not happen. He believes the Beach will be a nightmare.

Mr. Znoj wants to know how we can fix the 30% recycling rate for 2 years. Mr. Lally agrees that something needs to be done in regards to increasing recycling education.

Mr. Znoj indicated that he would make the motion that if the concept of PAYT is to go forward then we need to have a public hearing or two.

Mr. Pierce thinks this is a service that should be provided and we should wait a year to give the current plan a chance.

Mr. Griffin MOTIONED to postpone looking into a PAYT program for one year in order to give the current structure of rubbish a chance. Mr. Pierce SECONDED. No call on the vote was taken, but Chairman Nichols stated that it appears there is a consensus amongst the Board to hold off on the PAYT program for at least one year.

b. Departmental and Programs Update

Mr. Noyes provided a copy of his report for the Board. His report was for the quarter.

Administration included: SEA negotiations, budget, Five Corners Intersection, Church Street Pump Station, WWTP odor control, PAYT program, assist North Hampton sewer and many other items.

Highways included: storm cleanup, bid documents for snow plowing, State inspections and juggle trash/recycling pickup.

Transfer Station has been busy distributing new carts.

Sewer & Drains included: installation of a new sewer pipe, routine sewer/drain cleaning and rating pipes.

Engineering included: demolition of Old Town Hall, installation of Brown Ave tide gate, Mill Road drainage improvement plans, prepare the 2012 paving/drainage/sewer improvement plan, Smutty Nose Brewery project and manage the paving projects.

WWTP included: happy to report no violations or complaints, working with GHD on upgrades, maintain WWTP on emergency power, demo of new degreaser, replace pipe, cleaned holding tanks and routine maintenance and cleaning.

Discussion

Mr. Znoj asked about the pump station on Cogger Street and it will be completed in the spring. He wonders about the Five Corners Intersection and we are only working on an engineering plan at this point. The Board will be given three options for this.

Mr. Znoj brought up Winnacunnet Road and Lafayette Road and this is on Mr. Noyes list of items to be done. Mr. Noyes believes that the work would begin in early spring 2013. Mr. Noyes explained that the Town's portion is \$48,000, which he has encumbered, and how he is putting some money in his paving budget aside to help with the cost since he feels it is low. Chairman Nichols reminded everyone how this all came about and how when the Board approved it they were expecting to spend only \$48,000 if the cost is going to be higher he is

not sure he would be in support of the project. Mr. Griffin reminded everyone that we did receive some revenue from selling this land and it could be used here. Chairman Nichols commented on how not everyone is in support of this light. Therefore, he would be in favor of going ahead with the engineering study and see what they come up with. At that point, then Board can decide what to do. Mr. Noyes stated that is his plan. He also commented that we do have the right to back out if the cost is more than the Town expected. Mr. Welch clarified that the \$150,000 in the 2012-paving budget is being held on reserve until the engineering study is complete and we are not adding any money. Mr. Pierce reminded everyone that the voters did say no to the squaring-off of the intersection. There was a discussion amongst the Board on how that citizen petitioned warrant article was very confusing.

Mr. Znoj commented on the installation of the generator for the aeration process at the WWTP in case there is a major issue and this was a good move. He also asked about the wiring for the emergency generator to keep the WWTP up and running. Mr. Noyes stated that they are waiting to do the engineering on this and are working on this at the current time.

The Board agreed to go over the summary of his improvement projects at a later time.

Mr. Noyes answered questions from Mr. Znoj and Chairman Nichols. The question in regards to increased overtime and it had to do with trash/recycling and storms. The balance in sidewalks is unknown to him since all he knew that was to be done this year was the Mill Road sidewalk. He would like to use this money to cover the cost of the demolition of the Old Town Hall. Chairman Nichols confirmed that there currently is not a plan for sidewalks but is something Mr. Noyes is working on. The 3rd quarter transportation cost for recycling \$28,000 and income was \$25,300. Manpower required for trash/recycling and the need for two 32 hour employees. He told the Board of the new plan to go into effect for January 1st in regards to trash/recycling pickup plan. They discussed the need to hire the two 32 hour employees for this particular reason. Mr. Noyes does believe that we have some seasonal employees still on at 40 hours a week.

Mr. Pierce asked about picking up multiple times a week at the beach. Mr. Noyes stated that Ryan Sharpe has been talking to the business owners to set up a plan. Mr. Griffin has been saying for several years how trash on the beach does not need to be picked up 3 times a week in the off-season.

They have currently distributed 75% of the carts. The effectiveness of the new trucks is improving and the staff is getting used to them and it will help with the new routes on January 1st. The community needs to help with placing the carts properly. The Board agreed that this needs to be put on channel 22. Mr. Noyes provided an update on the status of the projects they are working on.

Mr. Znoj asked about some drainage work and Mr. Noyes hopes to begin work in December. They also discussed paving/reconstruction and Mr. Noyes explained what the plans are for this money. He wants this money to be spent on paving/construction and not used for engineering work. Mr. Noyes commented that the sewer line maintenance will be used in 2011.

V. Minutes of October 31, 2011

Deferred to next week.

Discussion on the Cell Phone Antennas

Potential Tower Locations from New Business - Mr. Griffin feels that this is a very hot topic and should not be started at this time of night. Mr. Welch explained that they have contacted multiple cell phone carriers to see if they would be in favor of installing cell phone facilities on the northeast corner of Town due to the lack of service in this area. The companies would have to have variances to do anything. Mr. Griffin commented that this is something that the Zoning Board would have to handle. Mr. Welch stated that the first choice was something posted on the telephone pole but that will not work so they have come up with something that resembles a tree. If they are pushed, Mr. Welch believes that we will have several companies come forward. Mr. Griffin thinks that this is not for the Board of Selectmen. Chairman Nichols thinks that maybe it is time to have some of these companies come forward with some proposals. Mr. Griffin thinks that if the Board wants to give Mr. Welch their support than that is fine. There was a consensus amongst the Board that Mr. Welch should move forward on this.

VI. Town Managers Report

1. Hampton Academy 7th graders and the Pease Greeters welcome soldiers home from Afghanistan on October 28, 2011, please view the video of the event @ <http://www.youtube.com/watch?v=AaMJGpbsq4Q&feature=email>
2. The Winter No parking ban begins tomorrow on all streets in Hampton. It is in effect from 1 AM to 7 AM each day from November 15th to March 15th, except for days when a snow emergency is declared. In the event of a snow emergency, residents may park overnight in Municipal Parking Lots but vehicles must be removed by 8 AM.
3. A pre-bid meeting held last week for the issuance of snow removal bids for Ashworth Avenue with only one bidder present and no one attended the pre-bid meeting for snow plowing and removal for the High Street Parking Lot.

Discussion

Chairman Nichols asked about the company who has done this in the past and they did not attend the meeting. Mr. Welch stated that we would have to contact some more businesses about this.

4. Curbside Yard waste pickup continues to on Mondays for remainder of November, barring snowstorms. Yard waste (leaves, grass clippings, pine needles, etc) should be place at curbside in either biodegradable paper bags or loosely packed containers that can easily be dumped out. Questions should directed to the Public Works Department Monday through Friday from 8 AM to 3:30 PM at 926-3202

Discussion

Mr. Pierce confirmed that they are still working on picking up storm debris.

5. A bid for Intersection design was awarded to Stantec Consulting Services for the Five Corners Intersection as the second low bidder of five bidders at a cost of \$18,742. The low bidder did not comply with the bid specifications, which he went through for the Board.

Discussion

Mr. Pierce and Mr. Lally discussed the three properties that could be affected by this work and how they had to be included on the plan.

6. Dredging of Hampton Harbor is on hold. The Federal Government has not appropriated the funding to accomplish the scheduled work, by current estimates the scheduled work will have to wait until November 2012.
7. Petition articles for the Zoning Ordinance can now be accepted up until 5 PM on December 14th. Please file your petitions with the Selectmen's Office. Town Meeting Petitioned articles can also be filed with the Selectmen's Office up until January 10th
8. Appoint Michael Schwotzer as the Acting Town Manager for November 16 and 17, 2011, as I am attending the Annual Municipal Association Meeting.

Other Items for the Town Manager Report

The bill for the Tree Warden has been rewritten by the legislators. He encourages the Board to read this bill and shared some concerns he has with the bill.

The authority was given to him to sign the Community Block Grant and sewer line extension for Smutty Nose and he would like the Boards approval to sign the sewer line extension on Towle Farm Road.

Chairman Nichols MOTIONED to appoint Mike Schwotzer as Acting Town Manager for November 16th and 17th. Mr. Griffin SECONDED.

VOTE: 5-0-0

Mr. Griffin MOTIONED to authorize Mr. Welch to sign the DOT document in regards to the sewer line extension for Smutty Nose. Chairman Nichols SECONDED.

VOTE: 5-0-0

Mr. Griffin thinks that anyone doing business in Hampton Harbor should get in contact with the delegates to get some help fighting this battle.

Mr. Griffin would like to know when the Board is going to interact with Mr. Welch in regards to his response to his evaluation and the Board decided to discuss this next week at 6 pm.

Mr. Znoj commented on the woman who tripped near the Library and Mr. Noyes is going to have some of the slabs replaced. The Board discussed some additional areas of sidewalk around the Library that need to be repaired.

Chairman Nichols asked about the 6,000 people who lost power a few weeks back and he wonders why this problem still exist after the Ice Storm. He shared a story about a resident who contacted Unitil to have a branch trimmed that was hanging on the power lines.

Mr. Welch contacted Unitil and they stated it could not be done by them since it is on private property. It was suggested that they would shut the power down but they would not remove the branches. Chairman Nichols wonders if we have fallen behind in tree maintenance. Mr. Welch stated that yes, UNITIL has fallen behind, and why he thinks this has happened. He believes that we need to have some communications between UNITIL, Comcast, and the telephone companies. Mr. Znoj wonders if Urban Tree can do something to help give some of these residences some sort of a discount. Chairman Nichols wonders if we have some sort

of list composed on the locations where these branches are hanging on the power lines. Mr. Welch stated that the problem is that the branches are over the private property line.

VII. Old Business – Will be discussed next week 11/21/2011

1. Town Meeting Warrant Articles
 - a. Compensated Leave
 - b. Recreation Infrastructure Special Revenue Fund
 - c. Police Mounted Patrol
 - d. Stormwater Improvements
 - e. Library Energy Improvements
2. Road Acceptances

VIII. New Business

1. Second Half “2011 Tax Warrant”
2. Cell Phone Antennas – Potential Tower Locations – Discussion under Minutes.
3. Sale of Old Fire Alarm Wire – Mr. Welch stated that we would like to sell this wire and use the money to be spent on removing additional wire

Mr. Lally MOTIONED to approve the Sale of old Fire Alarm Wire. Mr. Griffin SECONDED.

VOTE: 5-0-0

IX. Consent Agenda

1. 8 River Street – 2011 Warrant Article 42 “Quitclaim Deed” June White
2. Solicitation Permit – Experience Hampton
3. ~~“2011 Second Half Tax Warrant”~~
4. ~~Hampton Commission 375 Appointment – Dustin Marzinzik~~

Mr. Znoj MOTIONED to approve consent agenda with the exception of items #3 and #4. Mr. Griffin SECONDED.

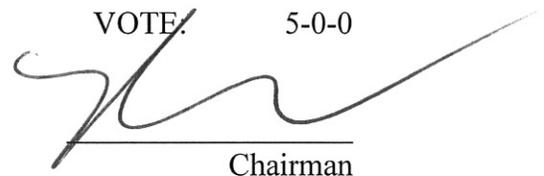
VOTE: 5-0-0

X. Closing Comments

XI. Adjournment

Mr. Znoj MOTIONED to adjourn the public meeting and SECONDED by Mr. Griffin.

VOTE: 5-0-0


Chairman

Town of Hampton



Revised AGENDA
Board of Selectmen
November 14, 2011

Posted: Town Offices, Library, Beach Fire Station
7:00 PM Public Meeting – Selectmen’s Meeting Room, Downstairs Town Offices

SALUTE TO THE FLAG

- I. Public Hearing RSA 41:14-a “Acceptances of Falcone Circle Easements (2)”
- II. Public Comment Period
- III. Announcements and Community Calendar
- IV. Appointments
 1. Jane Marzinzik, Town Clerk
 - a. Registration Holders
 - b. Secondary Beach Parking and Transfer Station Decals
 2. Michael Schwotzer
 - a. Monthly Financials
 3. Keith Noyes
 - a. Departmental and Programs Update
- V. Minutes of October 31, 2011
- VI. Town Managers Report
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