

Town of Hampton



Hampton Board of Selectmen Minutes of December 12, 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

6:00 PM Non-public Meeting RSA 91-A:3.,II (c)

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Comment Period

Arthur Moody pleased to see the supplemental tax warrants for the utilities on the agenda. He would like to know if the underground vaults that Fairpoint has are also being taxed. Mr. Welch thinks that if the Town knows the location than they probably are being taxed. Mr. Moody also asked about the nuclear waste line and if this is being taxed along with a few other similar items. Mr. Moody shared some history on how 40 years ago Friday the Town got rid of the exchange and no longer had to go through an operator to make calls but instead used rotary dial.

II. Announcements and Community Calendar

Chairman Nichols announced that the meeting scheduled for last Friday with DOT was canceled and has been rescheduled for December 22nd at 8 am so that the Commissioner can attend.

Mr. Pierce announced that there is going to be a New Year's Eve event at the Pavilion starting at 7 and lasting until 12:30 am. He went through a list of things that will be taking place. Mr. Griffin believes that this event is only for the State.

Mr. Lally shared with the public that the Board will be sending a letter to the CEO of the Hockey Hall of Fame for helping to bring the Stanley Cup to Hampton for the parade. He read the letter for the Board

III. Appointments

1. Jan Meades & Linda Gebhart

a. Presentation/Donation of Fire Photo Books

Mrs. Gebhart shared some history on the things that took place this summer leading up to this. There was an art show in Portsmouth and how she came upon the work of Jan Meades and the incredible photographs she had taken of Hampton Firefighters. Mrs. Gebhart added that Ms. Meades work was than displayed in the Hampton Town Hall, after seeing the art show. Ms. Meades presented the book to Chief Silver along with a card she made for the Chief commemorating 911. She has also signed the book for the firefighters.

2. Keith Noyes, DPW Director

Chairman Nichols pointed out that along with Keith Noyes tonight Chris Jacobs and GHD Engineers are also present. Chairman Nichols went through the things that they will be discussing tonight.

Mr. Noyes started with providing the Board with information pertaining to the following Public Works Department 2012 Warrant Articles that will be presented tonight which include: Church Street Pump Station reconstruction project; Drainage, Sewage and Road Resurfacing improvements; Five Corners Intersection Improvement Project; Winnacunnet Road/Lafayette Road intersection improvement project; Capital Reserve – Vehicle & Equipment inventory and replacement plan; and WWTP improvements implementation plan for 2012.

a. GHD Engineers – Church Street Pump Station

Mr. Noyes made the following comments in regards to the Church Street Pump Station. This pump station services the entire Hampton Beach sewer system and is essential for all the homes and businesses in that area of Town. The present station is well beyond its useful life and is in very poor condition. Replacement parts and motors are hard to obtain and some are unavailable. If this station has a major breakdown, it could cause a disastrous situation at the beach. Although we are working on a backup plan to restore temporary service nothing we could do can guarantee a disastrous situation from occurring. If such a situation occurred on a busy summer weekend, the economic and environmental impact would be huge. This station needs to be replaced as soon as possible. Nothing short of a total replacement is advisable or cost efficient. The Town has engaged GHD Engineers to assist with evaluating the existing station and propose a plan to replace the station at the least possible cost. As you will hear the cost is not cheap, however he feels we can keep the cost to a minimum by using in-house personnel for legal work and project administration. In addition, we can utilize our own wastewater team for helping with construction oversight and inspection. Also, we plan to get a second professional opinion on the proposed preliminary design and cost estimate. This is usual these days and he is experienced in doing this since he did it in Exeter. At this time, he would like to introduce Mark Drainville, the Project Engineer from GHD Engineers to give a short presentation on this project.

Mr. Drainville's presentation included the following. The problems with the station include reliability, no built-in ability to bypass, inaccessible equipment, inadequate wet well storage, many aspects of the station do not meet current codes and standards and no flow measurement/SCADA. Some complex site issues are: existing grade is five feet below 100-year flood, work in a floodplain, force main connections will be in a wetland, and excavation will require special reinforcement and dewatering. The prior evaluation determined that the

pump station needed to be replaced and this analysis expands on that evaluation. The evaluation in 2008 had no borings for evaluation, no survey, no layout, and no mention of SCADA and no decisions on mechanical equipment. He went through the cost differences between 2008 and 2011 and explained the four components of the cost are site prep, structure, SCADA, and mechanical. The cost breakdown is as follows: site prep \$1.4M, structure \$1.75M, SCADA \$60,000 and mechanical at \$620,000 so subtotal is \$3.83M. If you add Engineering at \$630,000 and contingency at \$390,000, you arrive at a total project cost estimate of \$4.85M. He shared some drawings of the design of the station.

Discussion

Mr. Pierce wonders if all three pumps are needed to run the beach in the summer. Mr. Drainville explained what each of the pumps would be used for and their size.

Mr. Znoj confirmed that the wet well is going to be 5 feet deeper and will therefore run more efficiently. They discussed the current station and how it was built. Mr. Znoj shared some information on the conditions since he was down there for about an hour a week ago.

Mr. Znoj asked about how they plan to handle the emergency generator. Mr. Drainville explained there will need to be a new generator since the current one cannot handle the new pumps. The generator would not fit in the building and would be placed outside on a pad. The existing generator will be evaluated for use somewhere else at DPW.

Mr. Pierce suggested taking pictures of the existing pump station so that residents can see how bad the current conditions are.

Chairman Nichols has some questions in regards to the financial portion. He discussed how the project has gone from \$2.7M to \$7M and now down to \$4.8M. Chairman Nichols questioned whether Mr. Noyes expects to have the second opinion or cost estimate prior to the January 10th warrant article deadline.

Mr. Noyes thinks that this would be a challenge however if the Board would be willing to wave the formal bidding process he does have a few other firms he can contact and he believes the cost would be under \$5,000. Chairman Nichols did point out that if the numbers were not in by the January 10th deadline the amount could be put in at the \$4.85M and amended at the Deliberative Session.

There was a consensus amongst the Board that Mr. Noyes could contract with another firm to get a cost estimate on this project as long as the price to obtain the estimate does not exceed \$5,000.

b. Warrant Articles

- Drainage Improvements

Mr. Noyes read the following memo for the Board in regards to drainage, sewage, and road resurfacing improvements. Our Deputy Chris Jacobs and Engineering Technician Ryan Flynn have been preparing a multi-year plan for storm water, sewage, and road improvements.

- The original plan which Chris will present is based on funds coming from the following accounts:

Operating Budget

Paving & Reconstruction	\$150,000
Drainage Construction	\$145,000
Sewer Line Maintenance	\$130,000

Warrant Articles

Road Improvements	\$300,000
Storm Water Drainage Improvements	\$145,000

For a total of \$870,000

- As you are aware, the Budget Committee recently cut the entire 2012 Paving & Reconstruction Operating Budget line item of \$150,000. That funding was originally budgeted for the reconstruction of the Lafayette Road/Winnacunnet Road intersection if the previous funding is not adequate. I am now recommending that if additional funding is needed to complete a project the funding is requested from a 2013 Warrant Article.
- I am concerned about potential long-term impact of the Budget Committee cut to the Paving & Resurfacing budget especially if it threatens the level of future funding.
- To demonstrate the long-term impact of cutting the operating budget paving account by \$150,000. I have asked Chris to prepare and present two plans with two funding scenarios – one with the \$150,000 intact in the budget and one with the reduction of the \$150,000.

Mr. Jacobs’s presentation included. The 2012 idea was to encumber money from 2011 paving and use that on the first part of Exeter Road. The other portion of Exeter Road would be completed using the \$150,000 in the 2012 budget if they are able to get that money put back in the budget. If they do not get the \$150,000, they will not be able to complete the work on Exeter Road. He pointed out that he has asked for drainage engineering money in 2013 for the railroad corridor and High Street. Mr. Jacobs commented that if we lose the \$150,000 in the 2012 budget the work on Exeter Road would have to be pushed out to 2013 which in turn causes another area of Town to be pushed out and so on.

Discussion

Mr. Znoj clarified the amounts in the 2012 budget and the amounts to be put through as warrant articles.

Mr. Pierce confirmed that the work on Belmont Circle and Fairfield will include drainage along with paving all at the same time. This also includes work on Ruth, which is attached to Fairfield. They discussed maintenance that also needs to be done in this area and continued in the future.

Mr. Znoj asked about Cogger Street and Tuck and wonders what the plan is for this area. Mr. Jacobs went through some of the work that has been done and the remainder of the money will be encumbered from 2011. Mr. Pierce asked what is under the new dirt behind the Nickerson property and the pipe has already been put in the ground. The work in the Cogger Street area should be complete in the spring.

Chairman Nichols pointed out that by removing the \$150,000 from 2012 not only affects 2012 but also removes it from 2013 Default Budget.

Mr. Znoj wants to know more about the Kings Hwy drainage improvements. Mr. Jacobs stated that a portion of the \$300,000 and some other money from drainage accounts will be used to begin an engineering study and work in this area. Mr. Jacobs added that his suggestion for the language in the article for the \$300,000 be road reconstruction, drainage and sewer improvements. He explained why he thinks the language should include all three of these areas.

Chairman Nichols commented that ultimately if the \$150,000 is restored the total amount to be spent on road reconstruction, drainage and sewer improvements is \$984,000 in 2012.

Mr. Znoj asked about the \$50k for engineering and \$150k for improvements on Kings Hwy. Mr. Jacobs hopes to have the engineering study done and some work started this time next year. Chairman Nichols wonders if this helps with the problems at the end of High Street and it does not but it is in the plan for 2013.

Chairman Nichols addressed the three funding issues:

The First area is the \$300,000 warrant article component, which in the past several years has been funded out of the undesignated fund balance, which the Board agreed to have the same thing happen this year.

The second area is the storm water drainage improvements of \$145,000 and he feels this should go forward as a money article and the Board agreed. The Board also agreed that the wording should match language used in the past and be referred to as drainage improvements.

The third area is the \$150,000. Chairman Nichols explained the discussion at the Budget Committee and the Winnacunnet Road/Lafayette Road intersection. He reminded everyone how the Board agreed to use money from this year's budget to fund the Town's portion of this project and it was not the Board's intention to use a portion of the \$150,000 in the 2012 budget for this project. Chairman Nichols also stated that he is not in favor of spending substantially more than the \$48,000 that the Board agreed on, in September, for this project. This amount has already been encumbered and the Board agreed that if it were to cost more (not just three or four thousand more) it would go back to the voters. He feels that the Board needs to go back to the Budget Committee and make it clear to them that it is not their intention to use the \$150,000 in the 2012 budget for Winnacunnet Road/Lafayette Road intersection.

Chairman Nichols MOTIONED to review the project when the engineering is done, estimated to be the summer of 2012, and to go forward only if the cost is not substantially greater than the \$48,000 that was already approved, if substantially greater, it will become a warrant article to go before the voters. Mr. Znoj SECONDED.

VOTE: 5-0-0

Mr. Pierce wonders when this was approved by the voters, and it was not. It was approved by the Board in 2010. Mr. Pierce does not know what the Board is proving by this motion. Chairman Nichols stated that the Board is making it clear to the Budget Committee that the Town is not going to use any of the \$150,000 in the 2012 budget for the Winnacunnet Road/Lafayette Road intersection. Chairman Nichols stated that Mr. Welch or Mr. Noyes needs to ask the Budget Committee at the public hearing to restore this \$150,000.

Chairman Nichols asked Mr. Noyes about a comment he made in regards to the cost of road reconstruction increase after 15-years. Mr. Noyes went through all the different types of road deterioration including how the acceleration of the deterioration from the 15-year point forward. Therefore, the goal would be to have the entire road reconstructed within a 15-year period. The cost beyond the 15-year point can triple or quadruple. Ultimately, Mr. Noyes and Mr. Jacobs will come up with this plan so that all the roads can be maintained within the 15-year window. Chairman Nichols pointed out how we are already trying to catch up and Mr. Noyes and Mr. Jacobs agree. It will take time to be caught up and then be able to follow the 15-year plan.

Mr. Pierce asked about sealing the roads as Mr. Noyes mentioned people do to their driveways and Mr. Noyes shared his thoughts on why this does not work. There was a discussion on crack sealing and how this is in the budget and Mr. Noyes shared his opinion on this and the importance of having ideal conditions and the right contract.

The Board discussed year-end savings and the possibilities of using some of this money for some of these projects.

c. Five Corners re-design – Mr. Noyes provided the following presentation for the Board.

- As many know, the Five Corner's intersection is dangerous for both pedestrians & motorists.
- Between 2002 and 2010 there has been 40 crashes 15 of which involved injuries
- The intersection has the unique configuration of five approaches.
- The distance for pedestrians to cross the intersection is way too long for a safe crossing.
- It is my recommendation that this intersection is redesigned and reconstructed as soon as possible to improve safety.
- I have used funding from the 2011-operating budget to hire a traffic-engineering consultant to survey the intersection and present three options for improvements.
- These recommendations will be presented to the selectmen and public on January 16th for consideration.
- If the selectmen come to an agreement on a preferred option then I would request the funding of that option by a warrant article.
- If the funding is approved by a warrant article then I would proceed with final design, bidding, and construction work as soon as possible.
- The approximate cost at this point is \$250,000.

Discussion

Mr. Znoj clarified that they are currently looking at a roundabout, or a squaring the intersection off or a general reconstruction of the intersection. Mr. Noyes really does not want to comment until the engineers come back with a plan. Mr. Welch reiterated that the study is being conducted to provide the Board with all possible options.

There was a discussion on the late date of January 16th and Mr. Noyes hopes to have the report earlier possibly by the 9th. Chairman Nichols pointed out the deadline for warrant articles on the 10th.

Discussion on the actual date for the Selectmen to act on the warrant article and it was clarified the it would be the 9th. Chairman Nichols wonders if we want to push this through without receiving some input from the public. He thinks maybe this is something we should proceed with but maybe something that comes as a warrant article in 2013. Mr. Noyes is not opposed to holding off on this a little.

Chairman Nichols MOTIONED that we continue with what we are doing in regards to the Five Corners intersection but that the warrant article be put off until 2013. Mr. Lally SECONDED.

VOTE: 5-0-0

d. Winnacunnet / Lafayette Road Intersection

The Board touched on this previously, Mr. Noyes made some additional comments which included: the project is inherited, initiated in the Planning Department, the federal funding involved, the Rockingham Planning Commissions involvement, evaluation connecting the signals going up Lafayette Road, breakdown of funding, meeting in Concord with the representatives, concerns with the amount of money being put aside for this project, what happens if project cost do go over, work to be done to get the project moving, timeline put together by himself and work proposed for Spring of 2013.

Discussion

Chairman Nichols confirmed that by next summer sometime they should have a design plan and a better understanding of the total cost for this project. Mr. Noyes explained his plans to have design plans done in a 2-phase approach. If the scope of the work is not changed and the money is available, the 80/20 split will remain the same. Chairman Nichols clarified that the first thing to be done would be the first phase of the design plan at which point they would come back to the Board.

Mr. Noyes commented that since this is a federally funded project the Town cannot go out for bid for engineering services and he explained how it would actually work.

e. DPW Capital Reserve

Mr. Noyes provided the following plan for the Board.

- I have provided you all with our proposed 5-year vehicle & equipment replacement plan.
- This plan is based on the recommendation of my management team and inspection of all our vehicles and equipment by me.
- This plan is based on an annual appropriation of \$340,000. He included the time he has spent with each manager looking at each piece of equipment and what it is used for. The vehicles have all been rated on the attached sheet for the board.
- For 2012 we are recommending the following purchases:
 1. Replacing a 1998 Dodge 1 ton dump truck with a new 1 ton dump truck with rack body at an estimated cost of \$50,000
 2. Replacing a 1997 Dresser front end loader with an new similar loader with plow & wing at an estimated cost of \$180,000
 3. Purchase a new pickup truck for our Deputy Chris Jacobs at an estimated cost of \$26,000.

4. Purchase an additional sidewalk plow so we are able to use the oldest sidewalk plow as a standby unit for a total cost of \$95,000. I am recommending funding the purchase with a lease to purchase financing program with an estimated annual lease payment of \$23,750.

Discussion

Mr. Znoj confirmed that the vehicles/equipment for 2011 are in the process of being bid out and purchased.

There was a discussion on what comes out of the budget and what comes out of the Capital Reserve Fund. Mr. Noyes needs to work with Mr. Welch to better understand this process.

Mr. Znoj expressed concerns with vehicles being rated as a 10 and not being replaced until 2013.

Chairman Nichols questioned the number of employees using vehicles and it is around 35. If you compare this to the 19 pickup trucks and the fact that there are usually two employees per vehicle and the fact that some of these trucks being replaced have very low mileage. He wonders if maybe we could work with fewer vehicles driving them more miles and getting more for the money. That being said he wonders if maybe the amount for 2012 can be reduced to \$300,000 the same as last year and then look at this again next year and see if the amount should be adjusted. Mr. Noyes would like to compromise and go with \$320,000. Mr. Pierce is in favor of leaving the \$340,000 and look at it next year. Chairman Nichols went through how even if it is reduced to \$300,000 he will still have some additional funds available. The Board agreed that they are in favor of continuing with this program and will discuss the amount at a meeting later this month.

- f. Road Resurfacing – discussed above
- g. WWTP Implementation plan for 2011

Mr. Jacobs commented that a majority of the work by GHD was done on Church Street Pump Station. However, they did look at the WWTP. The current press is working quite well and with the initial cost from GHD, the Town will be asking DES to significantly postpone the improvements to the WWTP. Another reason to slow down the project is to bring the State together with the DPW staff to come back with a better project. Mr. Noyes summarized that they are asking for some time to regroup.

Discussion

Chairman Nichols commented that the only portion of the \$1.385M to be spent at this time would be the \$250,000 for the Church Street Pump Station and the money set aside for odor control. Mr. Noyes pointed out that at this time they will not even be spending the whole amount for Church Street Pump Station since they are only in the design phase. Chairman Nichols also asked about the press and if there is going to be a need for an additional building. It is not believed this to be true at this time but they did discuss some possible issues with an area under the building where the pump is located.

Mr. Pierce asked about the delay in the actual construction. Mr. Jacobs indicated that it should not be a problem. Mr. Jacobs is not happy with the August 2013 date since it is not a good time of year for the WWTP considering the amount of flow at that time. Mr. Noyes

would also like to wait since Mr. Welch has had some reservations in the past and he would like to have everyone on board before moving forward.

They discussed how well the press is working and some things the new press will do that the current press cannot do in regards to primary waste and secondary waste. Mr. Noyes pointed out the crew down there now and the knowledge they have.

Mr. Znoj shared some more advantages of the new press.

- h. North Hampton State Beach Sewer Connection – postponed by Atty. Gearreald until a later date.

IV. Minutes of December 05, 2011

Page 3. Add to the end of Note 2. “has failed”

Page 4. Fourth paragraph under discussion, delete the following: “and Mr. Welch informed him that each year in the budget there is somewhere around \$200,000 and it will not be put in the budget but instead in the warrant article

Page 5. Fourth paragraph, delete the following “and the Architect”

Mr. Pierce MOTIONED to approve the Minutes of December 05, 2011 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

V. Town Managers Report

1. 2012 Warrant Articles
2. A bid has been awarded to Holloway Buick, Pontiac, GMC Cadillac for the purchase of two 3/4 pickup trucks for Public Works and the trade in of two older trucks that were scheduled for replacement under this awarded bid. The cost for the two trucks was \$51,620 and there were four bidders.
3. The Fire Chief has investigated utilizing remote radio call boxes in the Northeast Corner of Town during power outages. There are two systems. The system for remote call boxes costs \$40,000 to start, with individual boxes starting at \$2,000 and going as high as \$4,000 each. The second system is the Highway call boxes, similar to those you see on the interstate highways, as installed are \$7500 each. These options are available for the Town to install, but given the costs, we are examining other options like cell towers. Mr. Welch stated that we are in the process of contacting cell phone companies to come in and talk to them about options.

Discussion

Mr. Znoj questioned where the money for this would come from and it will come from the Town. Mr. Welch stated that the less costly approach would be a cell phone tower. The cell phone tower would need to be a multi company tower.

4. I have requested DPW to file a grant application with Coastal Planning for \$40,000 with funds to be matched by the Town, to plan and implement a solution to the flooding on High Street at Ocean Boulevard, utilizing a forced pumping system.

Discussion

Chairman Nichols wonders how this ties into the plan discussed earlier and Mr. Welch commented that it would have to be looked at earlier.

Other Items Added to Town Manager's report

The 14th of this month will be the last opportunity to file a petitioned warrant article to amend zoning.

We have received a notice that there has been a quick drop in the recycling market and the tonnage has gone from \$25 a ton to \$0 a ton. He believes this to be a temporary thing.

Discussion

Mr. Pierce confirmed that the Zoning Board agreed to the amendments to the sign ordinance submitted by this Board in regards to sandwich signs.

Mr. Znoj thinks the drop in recycling is weird, Mr. Pierce pointed out that a lot of the recycling goes to China, and they have had a real drop recently.

Mr. Welch did point out that the drop in recycling does not affect the Town's involvement in the Co-Op and they will still be paying over \$100 a ton. We should be into the Co-Op in 9 to 10 months.

Warrant Articles

Chairman Nichols commented that the Board received a packet from Mr. Welch on Friday with the warrant articles.

Discussion

Mr. Znoj went through several of the articles agreeing to them. He would like to talk with Mr. Schwotzer next Monday on the Compensated Absence Fund.

Chairman Nichols brought up the funds used from the Recreation Fund and he wonders what they mean by the starting of the Tuck reconstruction. Mr. Welch commented that eventually the Department would like to move to this location and he shared the ideas to why they would like to do this. He believes the money would be used to start a planning process for this location. They discussed the storage sheds and the conditions of each and possibilities of combining some of these sheds. Chairman Nichols questions if funding to start remodeling the space to include office space is appropriately being spent from this fund. There was a discussion on the fact that the majority of the money in this article is going to be spent on replacing the sheds with a small portion being spent on some plans for moving the office space.

Mr. Znoj asked about the article in regards to the Fire Stations and Mr. Welch suggested that Atty. Gearreald comment on this article. Atty. Gearreald explained that the beach station has an element to it in regards to the MOU and he would like to discuss this with the Board after this meeting. Chairman Nichols commented on an email from the Chief this weekend and some of these ideas need to be incorporated into the warrant article.

Mr. Znoj commented on the default language in the Library Energy warrant article and it has been removed and will not be included in any of the warrant articles. Atty. Gearreald commented on the language in this article having to do with zero interest loans and how this

works. The loan would be carried on the books from the Town but be paid for by the Trustees of the Library there is a letter that must be signed by the Chairman.

Mr. Pierce MOTIONED to approve the signature of Chairman Nichols to a letter in regards to zero interest loan for energy improvement project at the Library. Mr. Znoj SECONDED.

VOTE: 5-0-0

Mr. Welch brought up the petitioned articles for the Christmas Parade and deed restrictions. Mr. Znoj commented that the deed restriction is on Ocean Blvd and is a residence.

Mr. Pierce wonders what can be forwarded to the Budget Committee, and they all can, but it needs to be very clear that these are still in draft form. Mr. Znoj pointed out that none of the DPW warrant articles are here yet.

VI. Old Business

1. Budget Committee adjustments to 2012 operating Budget

Mr. Pierce finds it stressful to even be diplomatic about what the Budget Committee did last week. Basically, what has been done is they have removed \$140,000 from Legal, \$150,000 from Highway, \$50,000 from tipping and wanted to take out \$100,000 from Police Specials. He thinks they were very careless with their actions. In his opinion, they reacted out of personal feelings and not what is best for the community.

Discussion

Chairman Nichols added that they essentially eliminated the wages for Legal Department by removing the salaries of Atty. Gearreald and Robertson. They did leave the outside counsel line items. Chairman Nichols is not sure why we would want to pay \$185 an hour for outside counsel when in-house counsel costs around \$50 or \$60 an hour. The implication of what they did is basically reduces the 4300 hours currently spent on legal counsel to 700 hours.

Chairman Nichols commented on the \$595,000 expected year end savings and how the Budget Committee looks at this as fat in the budget. Chairman Nichols disagrees since this is only about 2% of total budget. He also pointed out the number of things that are going up in the 2012 budget that the Board has no control over. If this budget does pass, the Board is going to really have to look at this next year.

Mr. Znoj went through all the things that the Lawyers do for the Town and if he is still here, he will vote to keep them.

Mr. Pierce pointed out that the yearend savings really only accounts for one week's worth of spending.

Mr. Znoj made comments on the meetings prior to this last meeting and the things that happened. He brought up the motion originally made to eliminate the Legal Department and how it was voted down at that time. He commented on how now the Vice Chair is back and cuts the budget and it passes. He feels that the chairmanship and vice chairmanship is being used as a bully pulpit. He is not sure what value they are adding. He also read an article from the Hampton Union and provided the public with the actual facts. The motion mentioned in the article by Mr. Znoj himself in regards to special officer does not even exist in the minutes or on the tape of the meeting. He would challenge the Budget Committee to

sit with him next year and go through the budget line by line. He does not support their budget and will not vote in favor of it.

Mr. Lally has not seen the Budget Committee meeting nor has he watched it in the past 5 years. He does not think any thought went into the vote to eliminate the Legal Department and whatever the Board can do to fix it he will support that.

Mr. Znoj shared an example of comments made by the Vice Chair in regards to prior access the committee had to records in the Town Manager's office.

Chairman Nichols asked Mr. Welch if he was able to speak at the Budget Committee meeting and he stated he felt that Atty. Gearreald was doing a fine job himself and there was not a need for him to speak. There was a question as to whether or not he would be allowed to speak.

Mr. Griffin reminded everyone that not everyone feels the same way as Mr. Znoj and that there are plenty of people in Town who think that some restructuring could be done. Mr. Znoj stated that the voting will tell. Mr. Griffin thinks that maybe something different can be done and he does actually see a lot of waste in this department. Maybe it is time for some change. Chairman Nichols thinks that there is always room for change. Chairman Nichols reminded everyone that in 2010 there was a warrant article to eliminate the Legal Department and the vote was 1700 to 1000 in favor of keeping the department.

VII. New Business

Chairman Nichols mentioned that according to the meeting schedule over the next several weeks and the fact that there are two Monday holidays there would be a point of having 3 weeks between meetings. The Board agreed that this was too long to go without a meeting, and the dates the room is available for a meeting is the 28th, the 29th and January 3rd. The Board agreed to meet on the 28th of December.

Other New Business

Mr. Znoj asked if Chairman Nichols would like to comment on the pay-to-throw chronology. Chairman Nichols explained this to Patch and the newspaper. In 1993 there was a special Town Meeting to address if the Town wanted a Transfer Station and the second was do we want to pay for trash through our taxes or a user fee system. The vote was in favor of a Transfer Station and in favor of paying for trash through a user fee system. The difference in vote for the user fee system was about 40 or 50. There was a committee formed to look into the user fee system and made a recommendation to the Board to implement the user fee system effective January 1995. The Board felt that January was too soon and did vote to implement this program on February 15, 1995. In December 1994 there was a lawsuit filed against the Town for not implementing the user fee system. The suit was in Superior Court and on February 28th the Selectmen petitioned Superior court with a motion to dismiss the suit because they anticipated a warrant article that would rescind the previous vote. There was in fact an article supported by Mary Louise Woolsey who was a Selectman at the time and the article did pass to rescind the user fee system. Mr. Griffin has been told that there was massive amount of people who came before the Board who were against this program. Mr. Lally does remember and it was a really big issue in Town. Mr. Lally stated that it would have been a real nightmare at the beach in the summer.

Chairman Nichols reminded the Board that the Recycling Committee has asked for an appointment next week.

Mr. Pierce brought up a letter they received in regards to soliciting permits and Mr. Welch has taken care of this. The motor scooter question has also been taken care of and passed onto the Planning Board

VIII. Consent Agenda

1. 2011 Equalization Municipal Assessment Data Sheets Certificate
2. 2011 Supplemental Tax Warrant – Aquarion Water Co.
3. 2011 Tax Collectors Abatements
4. Utility Pole Tax – Fairpoint
5. Homes & Ells Quitclaim Deed – Implementing 2011 Town Meeting Article 40
6. Raffle Permit “Sacred Heart School” 12/15/2011
7. Deed Waiver – 42 Locke Road
8. Deed Waiver and Authorization – 32 Ashworth Avenue

Discussion

Mr. Znoj asked about the supplemental tax warrant. Chairman Nichols pointed out that Mr. Moody brought up the billing of Aquarion and when he researched this, he found out that this had not been done. Therefore, they are now going to be billed.

Mr. Pierce MOTIONED to MOVE the consent agenda. Mr. Znoj SECONDED.

VOTE: 5-0-0

IX. Closing Comments

Mr. Griffin hopes that when the Recycling Committee comes in next week maybe we can discuss how effective the committee has been since the recycling numbers have not been going so well.

X. Adjournment

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

VOTE: 5-0-0



Chairman

Town of Hampton



AGENDA Board of Selectmen December 12, 2011

Posted: Town Offices, Library, Beach Fire Station

6:00 PM Non-public Meeting RSA 91-A:3.,II (c)

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

SALUTE TO THE FLAG

I. Public Comment Period

II. Announcements and Community Calendar

III. Appointments

1. Jan Meades & Linda Gebhart
 - a. Presentation/Donation of Fire Photo Books
1. Keith Noyes, DPW Director
 - a. GHD Engineers – Church Street Pump Station
 - b. Warrant Articles
 - (i). Drainage Improvements
 - (ii). Five Corners re-design
 - (iii). Winnacunnet / Lafayette Road Intersection
 - (iv). DPW Capital Reserve
 - (v). Road Resurfacing
 - (vi). WWTP Implementation plan for 2011
 - (vii). North Hampton State Beach Sewer Connection

IV. Minutes of December 05, 2011

V. Town Managers Report

1. 2012 Warrant Articles

VI. Old Business

1. Budget Committee adjustments to 2012 operating Budget

VII. New Business

VIII. Consent Agenda

1. 2011 Equalization Municipal Assessment Data Sheets Certificate

2. 2011 Supplemental Tax Warrant – Aquarion Water Co.
3. 2011 Tax Collectors Abatements
4. Utility Pole Tax – Fairpoint
5. Homes & Ells Quitclaim Deed – Implementing 2011 Town Meeting Article 40
6. Raffle Permit “Sacred Heart School” 12/15/2011
7. Deed Waiver – 42 Locke Road
8. Deed Waiver – 32 Ashworth Avenue

IX. Closing Comments

X. Adjournment