

Town of Hampton



Hampton Board of Selectmen Minutes of January 09, 2012

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

6:15 PM Non-meeting with Outside Labor Legal Counsel – RSA 91-A:2.,I.(b)
7:00 PM Public Meeting – Selectmen’s Meeting Room, Downstairs Town Offices

I. SALUTE TO THE FLAG

II. Public Hearing – Issuance of Serial Bonds or Notes – RSA 33:8-a

a. Fire Stations. Chairman Nichols read the warrant article as written.

Chief Silver reminded everyone that he was asked to come before the Board a while ago with some options in regards to Fire Station construction. The option that was accepted by this Board is the basis of this warrant article. The article maintains the Beach Fire Construction as it was last year and breaks the Winnacunnet Road Station construction into two phases. The article includes a sum just greater than \$3M for the beach substation and a sum just greater than \$1.6M for the Winnacunnet Road construction. This will enable the relocation of administration to the Winnacunnet Road Station. The second phase would provide additional apparatus bay space as well as renovation and improvement of the crew quarters.

Comments from the Public

Eileen Latimer, Chairman of the Budget Committee and resident of 251 Mill Road, explained that she has spent time going over this warrant article and the plans with the Chief. She expressed how she did support the original articles last year and how the new article does not make changes to the original plans for the beach station but instead only makes changes to the Winnacunnet Road Station. She discussed some of the things that are being left out of the new plans for Winnacunnet Road. After looking at the plan she realizes it is one that we can live with but the problem she does have is with stage one and stage two. The original cost of Winnacunnet Road was \$4.6M and the new cost for both stage one and two is \$2.6M. She has looked at the plans sees the reduction of \$2M but feels that stage one and stage two need to go forward to the voters together at the

same time. She pointed out that in the article it does not state a number for stage two or a timeframe for stage two. She thinks the plan needs to be in its entirety. She has spoken with Mr. Schwotzer and the cost of doing this makes a difference of \$100,000 to the bond each year or three cents per thousand to the taxpayers. She thinks that by deferring construction into the future they risk codes changing, labor cost rising, materials going up and the end result the building will cost more than if approved right now. She pointed out that in 2013 we will lose the bond payments for the Police Station and the cost of both these fire stations would result in a lower payment than what we are currently paying. She is very concerned that we will not see the completion of stage two. She hopes the Board will consider this before the deadline tomorrow.

Charlie Preston feels like this is déjà vu all over again and he stands in opposition to this. He brought up the flooding issues on the beach as discussed last year. He thinks there are a lot of players, which he went through for the public. He thinks we need to think more long range. He talked about the possibilities of a park and ride on Rte 1 and possibilities of using this lot at the beach for transportation purposes. Once the fire station is put here, we lose this opportunity. He would hate to see money spent in this area for numerous reasons and brought up the problem of elevation and flooding one last time.

Chuck Rage, Hampton Beach Village District Chair, is here to support Chief Silver with the direction he is going but sees the need to have two separate articles. In regards to the flooding problems, he thinks with the flapper valve in place now this should improve.

Arthur Moody stated he has some experience with code breaking. He pointed out on the top of page 2 he is trying to decipher the language in the third sentence in regards to the MOU he wonders if this is stating that everything reverts to the original owner at sometime in the future. Or does this phrase refer to other terms in the MOU. Mr. Welch stated that the reverter relates to something that was in the current MOU that has expired but basically states that the Town will keep that Fire Station there for what he believes is 50 years. So basically, if the Town was to vote to discontinue the Fire Station in the 50 years the land would revert back to the Precinct. Mr. Moody confirmed that the other lot that the Town owns would go back to the Town. Mr. Moody brought up other terms of the agreement. Chairman Nichols believes that all this is doing is highlighting the reverter clause as one of the more important parts of the MOU. Mr. Moody asked whether or not it was necessary to have an elevator in the new station. Chief Silver pointed out that an elevator is required under ADA standards.

Mary Louise Woolsey wonders where the Boards priorities are with this article. She brought up the three bonds being discussed tonight totaling over \$9M, plus a budget and plus possibly six CBA's. She feels that putting together so many things in an economy like this we are sure to at least sink the CBA's if not other things. She feels they are risking losing everything. She commented on all the things they have put this Chief through even though he is the expert here not the Board. Having served on a Board of Selectmen herself she does not support this Boards decision to throw phase two down the road to be approved by a future Board. She feels this is irresponsible. If the Board is willing to work with the Chief then they need to propose and support the whole project not with stage one and stage two. However having said that she is not in favor of putting forward an article for the Fire Stations for fear of having a Fire Station proposal voted down two years in a row. She does not feel it will be voted down because of the Fire Station but instead because this Board is being too

greedy and putting forth too much in money articles. She hopes the Board would prioritize and put forth the project that is most critical to the Town. She would hope that with the Police Station bond expiring in 2013 we could put the Fire Stations forward at that time. She questioned why the Fire Station bond is being put forward as a 20-year bond and the Church Street Pump Station for 30-year bond. The time is not right in her estimation. She thinks if both are put forward, they risk losing both articles. She will not vote for the Fire Station article as presented and will not support it as a member of the Budget Committee.

Comments from the Board

Mr. Pierce asked the Chief about the construction of the station at the beach and possible flooding problems. Chief Silver stated that any building that is constructed at base flood elevation, is to be constructed in a manner that allows the first story to flood, and any living space has to be constructed above the base flood elevation. He believes the requirement is one foot above the flood elevation. He explained what this means and the new design is designed so that if flooding does occur, it will not damage any apparatus or the structure of the building. He added that the majority of the problem in this area has been related to the storm water drainage. Mr. Pierce asked the question after seeing the pictures Mr. Preston showed and it sounds like the Chief has had the building designed accordingly.

Mr. Znoj has listened carefully and thinks some good points have been made but he is not going to be impulsive at this point and comment.

Mr. Lally has been consistent for the past 5 years and his priority has been to get a substation built at the beach. The priority for him is the beach station and second would be the uptown station. He agrees that there is a lot of money involved but we have to get the station at the beach done.

Mr. Griffin added that the average person on the beach is in favor of the beach station. He asked the Chief if he thinks he can work with this plan. Chief Silver reminded everyone that in November he stated that this plan is not ideal but he can support it if the Board can support moving forward with both phases of this plan. He does understand that there are some risks and there were some good comments expressed tonight. There is work to be done at Winnacunent Road.

Chairman Nichols commented on a 30-year bond versus a 20-year bond. He brought up a 5-year analysis that he and Mr. Schwotzer prepared showing the impact of each of these articles. The interest on the Fire Station will be 5%. As far as the Church Street Pump Station goes and the ability to use SRF loans the interest rate is about 3 ½%. This being said if the Fire Station bond was put out 30 years the interest rate would increase and you end up paying a lot more money over the term of the loan. Ms. Woolsey does not understand why the Town would spread out the Church Street Pump Station for 30 years. Chairman Nichols confirmed that it has not been decided if the Church Street Pump Station will be a 30-year loan at this time. The second point he would like to make is that all these things are not just being thrown out there. A lot of consideration has been given to each of these items and detailed cost impact for the next five years has been calculated. He will be giving a short presentation of the cost impact of all these articles later tonight. He can also provide anyone interested from the Budget Committee a copy of the detailed spreadsheet.

Mr. Znoj is afraid that even if we did not have the Church Street Pump Station on the warrant and elevated the dollars related to the Fire Station to somewhere around \$5.5M he thinks there is a risk that it won't pass. He thinks it is costed out correctly for it to pass.

b. Church Street Pump Station – Chairman Nichols read the warrant article as written.

Mr. Noyes made the following comments: project necessary to ensure the Hampton Beach area has a reliable and safe operating sewer collection system and the project has been thoroughly reviewed and planned to ensure the best possible product is constructed at the least possible cost. In addition to the traditional engineering study and design process, they took the additional step of hiring an independent consultant and contractor to review the proposed design and cost estimate produced by the engineering company. The consultant has reported that they are of the opinion that the original design and cost estimate is correct. If the warrant article were passed, the final design work would be started as soon as possible and put out to competitive bidding in the fall of 2012 with construction commencing in 2013.

Comments from the Public

Mary Louise Woolsey shared her thoughts on some changes that need to be made in the language of the article. She would also like to know if they will have any recap or plans available at the Budget Committee meeting on Thursday night. Mr. Noyes was not aware of the meeting on Thursday but can make himself available. Ms. Woolsey would like to have some sort of a breakdown or sketches of plans. She also wonders if they have any idea how much is in the SRF pool or available at the State level. Mr. Welch stated that they have not appropriated any money but we are on the list for emergency appropriations right now. Mr. Welch added that they have committed contractually to three SRF loans at this point. Chairman Nichols added that there are two issues related to SRF. One is the availability of the capital for a loan and the second aspect is what took place historically where they would actually match 20%. There is no match and has not been for three years but in terms of this particular project and terms of prior commitments, that money would be available. She also expressed some concerns with the paragraph before the last sentence and she thinks it looks pretty nebulous to her and that they might not have a real plan in place. Chairman Nichols asked Mr. Noyes to respond as to what they currently have in regards to a conceptual plan and moving forward should this be approved.

Mr. Noyes commented on what has been done: reviewed all the old reports about Church Street, did test borings, gone through a good design process including all WWTP employees, Mr. Welch, Mr. Znoj, himself, WWTP employees and the engineers worked together, came up with a design report and conceptual design, next would be the final design, the bigger picture has been done and he feels really good that they have come up with a good project/product. Ms. Woolsey is still concerned on a personal level on how fast this has taken place. She would hope that if all of the dollar amount is not needed, that the Board of Selectmen would see to it that it was not all spent. Chairman Nichols reminded everyone that this started with a 2008 study and has been deferred since that time. Approximately four or five months ago GHD got involved and came up with a conceptual design including a 35 page document which yielded a cost estimate originally of \$7.6M and with Mr. Noyes' work with GHD they were able to get the cost down to \$4.8M. At that point, they decided to have another engineering company look over GHD's shoulder and come back with an objective prospective. Mr. Noyes understands her concern with this being fast tracked. He shared with

her his initial tour of the sewer system upon starting with Hampton and the concerns he immediately had when brought to Church Street Pump Station. He immediately spoke with Mr. Welch about switching priorities and making this pump station a top priority. He spoke further about the consulting firm he had come in for a second opinion and how they are not only an engineering firm but also specialize in this type of construction. He hopes to have them come back about half way through the design process to critic the plans. Ms. Woolsey wonders what happens if the pump station goes. Mr. Noyes stated that they have developed an emergency stand by system but it is not the greatest plan. Ms. Woolsey asked what would happen if the pumps stopped working, Mr. Noyes stated the sewer system would stop and essentially shut down the beach. People at the beach would not be allowed to use the water. Ms. Woolsey stated that they have two critical articles that they are piggy backing on this warrant. She absolutely understands the need for a new beach fire station but if she was to prioritize giving the magnitude of the possibilities here, she stated they are staking a lot asking the public to vote on two big bond articles. She wonders if the Church Street Pump Station is more desperate or the Fire Station. She has a huge concern. She also asked about legal expenses other than in-house legal in conjunction with this project. Mr. Noyes believes that if they are to go to an outside bond they would need specialized bond counsel for that portion. Mr. Noyes also stated he has a lot of experience administering large projects such as this one and yes there will be legal counsel needed for a project of this size but using in-house counsel will help with cost. As a member of the Budget Committee Ms. Woolsey feels that this was just dumped on them. She commented on the prior DPW Director.

Mr. Pierce commented that the Chairman of the Budget Committee has not even asked for anyone to attend and therefore that is why Mr. Noyes was not been asked to attend by the Selectmen. Ms. Woolsey disagreed with Mr. Pierce bringing this up at this time and there was a continued discussion on who would be able to attend and who could speak at Budget Committee meetings.

Arthur Moody wants to disagree with Ms. Woolsey on saying this has been neglected. He believes there are several bonds we are still paying in regards to the WWTP and the sewer system.

Comments by the Board

Mr. Znoj brought up contracts management on this job. This would help to reduce the amount the bids come in for. Mr. Noyes stated that they plan to do a lot of the work with DPW labor including some of the engineering work. This is one of the things that helped to bring down the cost of this project. There was a discussion on subcontracting certain items out and problems that might occur. Chairman Nichols confirmed that we are not talking about the Town being the general contractor.

- c. Lane Library Energy Improvements – Chairman Nichols read the warrant article as written.

Dick Desrosiers, Chairman of the Energy Committee, explained that it is a very rare occasion when a project comes along that allows you to improve your infrastructure and reduce energy cost significantly at the same time. The total scope of the project includes: replacing the boilers, replacing air conditioner chiller, and redesigning and replacing the majority of the lighting system particularly on the main floor. He shared additional details on the lighting redesign. The boilers have already been replaced and he provided the details on the new

boilers. After replacing the boilers, the Library received a rebate of \$9,225 from Unitil. The warrant article will allow them to proceed with the chiller replacement and lighting replacement. Unitil has offered to provide the Trustees with a zero interest loan of \$80,000 to be paid back in 10 years by adding \$600 to the utility bill. After paying the utility bill and the loan, the Library will continue to save \$1,400 a month from operating expenses. One of the major benefits is reducing the \$60,000 in energy cost the Library has been spending and reducing the maintenance contract.

Chairman Nichols clarified that eventually there will be \$600 added to the electric bill of the Library but essentially the energy-offset cost is expected to be \$1,400. Therefore, the energy bills will be lowered.

Comments from the Public

Mike Schwotzer stated that this is really one that he would like to get behind and support. The only reason it is before the Board is that the Board is the only entity to grant the loan not the Trustees. He also pointed out that this has no impact on the amount that the Town has to send to the Library but instead it will be taken care of through their budget.

Arthur Moody questioned why they are having the hearing since it is under the limit. Mr. Welch and Chairman Nichols both agreed that since they already had to hold the other public hearings this was a good opportunity to get the message out on this article also.

Comments from the Board

Mr. Pierce added that this article will have no effect on the tax rate and it will all be paid for through the energy savings.

III. Public Comment Period

Chuck Rage made a quick note in regards to MOU the Town is working on with the State the Precinct is also working with the State on an MOU. Therefore, it might be beneficial for the Precinct and the Town to help each other out on this.

Arthur Moody asked at the last public meeting if the sign that had been outside the Selectmen's Room in the Old Town Hall be added as an article by the Selectmen to have this meeting room dedicated in memory of all past Selectmen and be hung outside of this room. He shared some history on the past locations of the Selectmen's meeting rooms and times the meetings took place. The second item is he has been working on the in memoriam page for the Town Report for 2011 and there was one individual in particular who served the Town in many ways and he feels the report should be dedicated to that individual.

Mr. Lally commented that he is sure Arthur is referring to Ansell Palmer and if nobody objects Mr. Lally would agree that the report should be dedicated to Ansell. Mr. Griffin listed off the things Mr. Palmer did for the Town including: Selectmen, Vice Chair, Budget Committee and Chair, Zoning Board of Adjustment, Chair of Mosquito Control, Chair of Solid Waste Management, Municipal Records Committee, Heritage Commission and Chair for the 325th Celebration of the Town.

Mr. Lally MOTIONED to dedicate the 2011 Town Report to Ansell Palmer. Mr. Griffin SECONDED.

VOTE: 5-0-0

Mr. Pierce confirmed that Mr. Welch will be looking for the dedication sign for the Selectmen's Meeting Room.

Diandra Sanphy, 34 Langdale Drive, commented that she has been reviewing the ethics policy and is considering putting forward a warrant article rewriting the policy and enforcement. She feels that the policy itself is ok but enforcement is part of the problem. She would like to ask the Board if they believe if it is ethical behavior that is the real problem here or a lack of respect and understanding that leads to no cooperation between Boards. Chairman Nichols stated that this is public comment and he is not sure any of them want to get into an interactive debate. Mr. Znoj agrees it is a long subject. Ms. Sanphy stated that under 91A it is the right of the public to come forward to the Selectmen with any issues at hand. She is trying to get the Boards to work together and stop all the fighting and unethical behavior on behalf of different members of Boards. She wants to make sure that we have a way to enforce the ethics policy. She wonders if there is a need to have a committee to work on this. Mr. Lally pointed out that there are Boards who refuse to adopt the policy. Ms. Sanphy thinks that it should be mandated that all Boards have to adopt the policy. Mr. Lally is not sure how to make other elected officials adopt this policy. Chairman Nichols believes it would have to be done under a warrant article that references a particular policy and the legislative body depending on how the warrant article was worded required that all elected and appointed officials fall under that particular ethics policy. Mr. Welch stated that there is an acceptance statute. He commented that he is probably more familiar with this than anyone here is since he wrote the code of ethics and also wrote it in another Town he worked for and it was adopted through Town Meeting there. It required a board to be formed and anyone in Town could bring charges against any appointed or elected official in Town and within two years the board was abolished and the policy was abolished. The problem was that anyone in Town who did not like an official would file a claim. Ms. Sanphy is familiar with parliament law and she does not feel that the ethic policy is being enforced. She thinks in order to enforce it something needs to be done different. She made some suggestions on how the board/committee would work. She thinks sitting here doing nothing is not working either.

IV. Announcements and Community Calendar

Mr. Pierce would like to bring to the public's attention how important recycling is and how everyone is to be using the new barrels at this point. The barrels should be 3 feet apart and the handle should be facing your home. He also pointed out that single stream is referring to putting all recycling together and does not include trash.

Mr. Znoj clarified that the green containers are for recycling and if people are using bags the bags must be clear. Mr. Welch stated that the recyclables do not even have to be put into bags at all, but if bags are used, they should be clear.

Mr. Znoj pointed out that we are voting tomorrow from 7 am to 8 pm and people can register at the polls. Chairman Nichols added that if you are registered undeclared/independent you can reconfirm on your way out your independent status.

Mr. Griffin was under the impression that you cannot recycle plastic bags. Mr. Welch stated that we encourage people to not use bags but if people insist, they must be clear so that we can see that it is recyclables inside.

V. Appointments

1. John Nyhan
 - a. TCSP Program Application

Mr. Nyhan, Hampton Beach Area Commission Chair, is here tonight to seek the support of the Town of Hampton for the application they submitted last week for the Federal Highway Administration under their TCSP Program. He provided information on how the Hampton Beach Area Commission was established to implement and assist, advise, consult the local community, region and State agencies on the Hampton Beach Master Plan. As part of this, they constantly look at the Master Plan and identify areas that need improvement. The Master Plan is 11 years old and as a commission, they decided to propose to identify some federal funds and with that opportunity they could then review, revise and update a major component of the Master Plan, which is transportation. Last year they were unsuccessful going after a \$17M grant. They have learned some lessons and it is better to hit several singles as opposed to hitting a homerun. Therefore, this year they have taken one priority to submit this year and it is to look at the Master Plan and update it accordingly around transportation issues. They have identified that their 20% match will come from soft money/in-kind contributions. They all realize that we do not have any local money that is available to match. The \$5,000 that they have highlighted under the Town of Hampton would come from free advice/consulting services from the Town Manager and Planning Department. As we know, the Planning Department plays a very active role in the HBAC and they would hope that they will continue to do so especially if we are successful with this application. They would like the Boards support and he can give the details to Mr. Welch tomorrow for the Board to forward a letter of support to the Federal Government. He shared all the other legislators whose support they have received. Mr. Nyhan shared how the State has to pick one application from all the applications they receive that is the number 1 priority for the State and they have chosen Hampton. When you are on a priority list, you have a better chance of being considered at the Federal level.

Discussion

Mr. Pierce wonders what will be the general gist of the money once it is received. Mr. Nyhan explained that a lot of it would be focused on what they are going to do with the existing Master Plan. It calls for them to hire a consultant and others to look at the comprehensive approach around transportation, which he provided a few examples for the Board. The roads they would be looking at are Rte 1, Rte 1A, and Ashworth Ave. They would look at key funding available for these types of projects. Mr. Pierce mentioned this since the Rockingham Planning Commission has been looking at some sort of intermodal transportation system. Mr. Nyhan stated that they have been involved with Rockingham Planning Commission in the past and that would be part of what they would look at now.

Mr. Griffin MOTIONED to send a letter of support for the application filed by the Hampton Beach Area Commission for funding under the Federal Highway Administration TCSP Program. Mr. Lally SECONDED.

VOTE: 5-0-0

2. Michael Schwotzer
 - a. 2011 Encumbrances

Mr. Schwotzer stated the appointment tonight is for the approval of a few items. He explained that one of the things they do at the end of the year that is related to RSA's is to encumber, which basically allows him to carry items from the 2011 budget into 2012 year. He has supplied the Board with analysis of the Departments and amounts involved. The Departmental total he is putting forward is \$317,197.29. Last year the same number was \$605,000. He tried to encumber money that has been out there in the form of PO's for warrant articles, this includes WWTP and Mounted Patrol, and this totals \$354,273.44. Last year this amount was \$853,000.

Discussion

Mr. Znoj commented that the PO's that are being encumbered are lower than they have been in several years. Mr. Znoj had several questions, which Mr. Schwotzer has already answered.

Mr. Pierce commented that sometimes people make a big deal about encumbrances but he thinks as long as we have a close eye on it and keep it under control its normal operating business.

Chairman Nichols thinks this has gotten better each year. He also pointed out that in the past we have carried encumbrances dating back several years and that is not the case now. Mr. Schwotzer stated there is one encumbrance from 2009 in regards to the design of the Fire Station and one from 2010 relating to the grant account.

Mr. Znoj MOTIONED to approve the encumbrances in the amount of \$354,273. Mr. Pierce SECONDED.

VOTE: 5-0-0

b. NH DRA 2012 MS-DT Form – Default Budget

Mr. Schwotzer explained that they should find in their packets a copy of the MS-DT form which is the Default Budget form done by the State of NH. He explained the format of the form. The Default Budget went up by a total of \$557,000. This sounds like a lot of money but he highlighted the following items: \$176,000 is due to changes in the retirement system, \$135,000 changes in insurance specifically workers comp, \$137,000 is the net effect of not transferring monies to the EMS Fund and \$141,000 due to the change in long-term debt. The bottom line is what the Board has actually approved and sent to Budget Committee.

Discussion

Mr. Pierce MOTIONED to approve the MS-DT Form. Mr. Znoj SECONDED.

VOTE: 5-0-0

VI. Minutes of December 19, 2011 and December 28, 2011

December 19, 2011

Page 8. 2nd paragraph, add the word "could" before "have" in the fourth line.

3rd paragraph, beginning with Mr. Znoj, rewrite to read the following: Mr. Znoj confirmed that currently if there is money left in this account it goes into the Compensated Leave Trust Fund.

8th paragraph, clarify the amount of \$300,000 to \$321,000.

Page 9. 2nd paragraph, add “year-end” to the motion before the word savings.

Mr. Znoj MOTIONED to Approve the Minutes of December 19, 2011 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

December 28, 2011

Page 5. 1st paragraph, add “year to date” before the words “is down” in the 7th line.

Page 13. 7th paragraph, change the word “this” to the “Catering Function”.

Mr. Znoj MOTIONED to Approve the Minutes of December 28, 2011 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

VII. Town Manager’s Report

1. Petition warrant articles for the Annual Town Meeting must be submitted by 5PM tomorrow at the Selectmen’s Office. Note that we currently have 40 articles on the warrant.
2. The Department of Public Works requests that individual residents who wish to dispose of artificial Christmas trees should bring them the Department for reuse on the landfill.
3. GHD, Inc. the lowest responder of three proposals of the request for proposals to prepare our Application for an Operational Permit Renewal for the WWTP, which is submitted to the NH DES and EPA. The cost is \$1,950.
4. The Annual Hearing for the Municipal Budget Committee to cover the Town and School Budgets is scheduled for Tuesday, January 17, 2012 at the Hampton Academy at 7 PM.
5. The Recreation Departments Facility buildings at Tuck field were vandalized on Thursday, January 5, 2012 between the hours of 2:30 and 6 PM. All of the windows in both buildings were broken using a piece of metal rebar. The Police have caught the individuals upon returning to the building to break in and smashing two large screen TV’s.

Items added to the Town Manager’s report

The Board had asked Town Counsel to file a rate objection to Aquarion’s filing at the PUC. The commission ignored all that and granted the rate increase. We have until the 11th to file an objection for a hearing. This is probably not a good idea at this time since they will be filing for a general rate increase in about 2 months.

The polls open tomorrow at 7 am and close at 8 pm. The primary is for both Democrats and Republicans. The election will be held at Marston School.

Discussion

Chairman Nichols would tend to agree with Mr. Welch that we are beating a dead horse with the rate increase for Aquarion. He feels the Board has done what they can.

VIII. Old Business

1. Updated 5-year Financial Forecast

Chairman Nichols provided the Board with a copy of the 5-year forecast. The first thing you will see is the tax impact on the average home going back to 1992. He went through a recap on the historical impact. He went through the impact on the municipal tax rate if all the money articles were to pass. He provided a comparison on what was originally requested and what is actually going forward on the warrant. He showed a graph of the trend line, which addressed Ms. Woolsey's concern with throwing all these things at the public at once. He and Mr. Schwotzer have taken the impact of all these items and factored it into the forecast. He pointed out the increase between 1997 to 2006 was 9% increase compounded per year compared to the time between 2007 projected out to 2016 the increase is less than 1% compounded each year. The impact between 2011 to 2016 would be roughly 2.5% per year. He went through the actual numbers between the initial proposal and current plan. The increase over the 5-year period drops from 21% increase for initial proposal and a 13% increase for the current plan. He went through a breakdown of budget and the large warrant articles initial request compared to current proposal. The combined reductions removed about \$5.8M. All this factors in the use of the undesignated fund balance to maintain a flat tax rate in the current plan for 2012. He thinks by getting this information out to the public we are showing them the impact of approving all these warrant articles. He also brought up what happens when we continue to put things off each year.

Discussion

Mr. Znoj mentioned getting the biggest bang for your buck, which is what we are trying to do here. Get the best value you can with your dollar.

Chairman Nichols thinks that by making the changes to the large projects we have done just what Mr. Znoj is suggesting.

Mr. Lally and the others agreed that it is important to get this information out to the public and Chairman Nichols needs to make this presentation at the Deliberative Session also.

Mr. Znoj feels that what Chairman Nichols has described is controlled spending.

2. Warrant Articles – Vote to Recommend/Not Recommend

Chairman Nichols explained that what Mr. Welch has done is separated about 10 or so articles starting with article 8 through article 31 that has had changes to them since the last time the Board met. He would suggest that the Board first approve the language changes in these articles. After that, the Board can move on and take care of the article that they have to Recommend/Not Recommend.

He asked if there are any concerns in the language changes on article 8 through 31.

Discussion

Mr. Znoj commented that in article 9 he does not see where we stipulate the areas that we are serving with the Church Street Pump Station. Mr. Welch does not have this yet but it covers everything south of Boars Head down to the Seabrook line. Mr. Welch will make the modification and the Board will go forward with this article.

Atty. Gearreald pointed out that Mr. Znoj had made some changes to the warrant article for the fire stations. Atty. Gearreald went through these changes for the Board.

There was a consensus amongst the Board to move forward with the changes to the language in articles 8 through article 31.

Chairman Nichols would like to discuss article 32 which he read for the Board. This article is an advisory question on the sidewalks on Rte 1A. We are essentially looking for public input on this issue. The Board is in favor of going forward with this article. Mr. Pierce wonders if the Town has already developed a position on our involvement in this. Chairman Nichols stated that we have not and that is why we are putting forward this article asking for the public's input.

Recommend/Not Recommend Votes

<u>Article 8 – Fire Stations</u>	Recommend – 5
<u>Article 9 – Church Street Pump Station</u>	Recommend – 5
<u>Article 10 – Library Energy Renovations</u>	Recommend – 5
<u>Article 11 – Budget</u>	Recommend – 2 (Lally, Griffin) Not Recommend – 3 (Pierce, Znoj & Nichols)
<u>Article 12 – Teamster CBA</u>	Recommend – 5
<u>Article 13 – Police Patrol CBA</u>	Recommend – 5
<u>Article 14 – Police Sergeants CBA</u>	Recommend – 5

Chairman Nichols provided the following highlights of the tentative agreement with local 3017: 3% raise increase in year 1 and 2% in 2013, there are no steps in this contract, onetime increase for two secretaries, no increase since 2005, no retroactive payments, changes in health insurance, new employees vacation accrual maximum of 4 weeks and implementation of a 24 hours shift for new employees.

Mr. Griffin MOTIONED to ratify the (Article 16) tentative agreement with Fire Supervisory Union Local 3017. Mr. Pierce SECONDED.

VOTE: 5-0-0

Chairman Nichols then provided the following highlights on the tentative agreement with Firefighters Local 2664: all employees brought to current step, changes in steps, no retroactive payments, changes in health insurance and changes in vacation and shift schedule same as prior agreement discussed above.

Mr. Pierce MOTIONED to ratify the (Article 15) tentative agreement with Firefighters Local 2664. Mr. Znoj SECONDED.

VOTE: 5-0-0

Chairman Nichols thanked the unions, Matt Upton, Wanda from the Legal Department, Mr. Schwotzer, and Chief Silver for all their hard work. The specifics of the contract will be put onto the website. There was a discussion on a timeframe for when the agreements will be put up on the website. They also discussed the possibility of putting up the tentative agreement as opposed to putting the complete contract up on the website. There was consensus amongst the Board to put up the tentative agreements on the website.

Article 15 – Firefighters Local 2664 CBA Recommend – 5

Article 16 – Fire Supervisory Local 3017 Recommend – 5

Article 17 – DPW Capital Reserve Fund Recommend – 5

Mr. Lally asked about the recommendation for the Sewer Connection article and Chairman Nichols explained that there was not fiscal impact from this article (Article 19 North Hampton State Beach Sewer Connection) so the need for a recommendation is not required.

Article 20 – DPW Road Improvement Capital Reserve Fund Recommend – 5

Article 21 - Compensated Absence Fund Recommend – 5

Article 22 – Cemetery Burial Fund Recommend – 5

Article 23 – Police Forfeiture Fund Recommend – 5

Article 24 – Cable TV Origination Fund Recommend – 5

Article 25 – Recreation Infrastructure Special Revenue Fund Recommend – 5

Article 26 – Human Services Chairman Nichols commented that they had a discussion on how this was recommended in the past by the Board of whether or not it was recommended as a whole article or each organization separately. He stated that he did look back and it was voted on each line to recommend or not. He believes it is cleaner to recommend this article as a whole and the Board agreed. Recommend – 5

Article 27 – Mosquito Control Recommend – 5

Article 28 – Mounted Patrol Recommend – 5

Article 29 – Drainage Improvements Recommend – 5

Article 34 – Christmas Parade Petition Recommend – 5

Article 35 – Grist Mill Petition Recommend – 5

Article ~~36~~ 37 – Petition to reduce the Legal Budget Recommend – 1 (Griffin) Not Recommend – 4 (Nichols, Pierce, Znoj and Lally)

Article 38 – Ring Swamp Cemetery Restoration Petition Recommend – 5

Article 40 – Cemetery Improvements to High Street Cemetery Recommend – 5

Chairman Nichols commented that the impact of this article was not included in his presentation, and that it is only a one-year impact.

Chairman Nichols would like to discuss the article in regards to the North Hampton State Beach sewer connection. Mr. Lally thinks that the Board has agreed with this and the Board should endorse this article, and that several individuals including Senator Stiles, have put a lot of work into this. They discussed that the connection will have a very minimal impact on the sewer system, equivalent to a single family home.

Mr. Lally MOTIONED for the Board to recommend article 20 in regards to North Hampton State Beach sewer connection. Chairman Nichols SECONDED.

VOTE: 5-0-0

Mr. Welch will look into how this can be done so that it is clear that the Board endorses this article.

Mr. Znoj wonders if the language should be added to Article 21 Compensated Leave Fund about no tax impact. Chairman Nichols stated that this language is in the article and he read it for the Board.

Mr. Lally pointed out that if any additional money articles come in tomorrow the Board will need to recommend/not recommend at a later date.

IX. New Business

1. Selectmen Coverage for Primary Elections – Tuesday

Chairman Nichols that the Board does not need to attend the election during the day, but does need come for the sealing of the ballot at 8 PM tomorrow night.

Other New Business

Chairman Nichols shared an email from Jay Deiner looking for a temporary employee to cover maternity leave of 10 weeks. The employee he is wishing to hire is someone who has served in this position in the past.

Chairman Nichols MOTIONED to approve Jay Deiner's request. Mr. Lally SECONDED.

VOTE: 5-0-0

Mr. Pierce has a quick demo to see if the laptops might work which he will go through for the Board whenever they would like. This could actually work and if we decide we like it, the cost of the paper reduction will cover the cost of one laptop. This does not include the cost of Kristina's time. Mr. Griffin and Mr. Lally both agreed that we should wait for the new Board to be in place. Chairman Nichols is really struggling with the number of hours Kristina will spend on this. They discussed in further detail the number of hours and the cost of Kristina's time. Mr. Znoj stated the need to really evaluate what they receive and what they actually need.

X. Consent Agenda

1. 2012 Investment Policy

2. Exemptions and Credits

Veterans: Gray, Richard C, Lonergan; Kevin A & Mary E; Parker, Joan F & Robert L; Walsh, Charles A; Walsh, William M & Janice M.

Veteran New: Arvidson, Russell & Susanne; Carney, Martin & Kathleen; Cloutier, Raymond & Theresa; Current, Donavon C & Karen L; Donovan, Daniel J; Elliot, Robert B & Frances L; Krukonis, Norman V & Gloria C; Mackinnon, Peter F & Barbara A; Marouthis, Carol A; McCarthy, Mary Jane; Merola, Gloria; Porter, Lewis A & Linda J; Silverman, Christine & Richard; Ward, Richard & Beverly.

Blind New: Diltz, Robert & Ann; Merola, Gloria; Walsh, William M & Janice M

3. Signing of Energy Committee Appointment of 12/19/2011 – Brian Betts

4. Raffle Permit "Sacred Heart School" at the Ashworth Hotel on 02-17-2011

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

VOTE: 5-0-0

XI. Closing Comments

No Meeting on January 16, 2012 – Martin Luther King Holiday/Civil Rights Day

Mr. Pierce wonders if there has been a decision on who needs to show up for the Budget Committee meeting on Thursday. Chairman Nichols hopes that someone from the Budget Committee asks for the 5-year forecast that he and Mr. Schwotzer have prepared. Mr. Welch will attend the meeting on Thursday.

XII. 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 January 09, 2012

Posted: Town Offices, Library, Beach Fire Station

6:15 PM Non-meeting with Outside Labor Legal Counsel – RSA 91-A:2.,I.(b)

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

SALUTE TO THE FLAG

I. Public Hearing – Issuance of Serial Bonds or Notes – RSA 33:8-a

1. Fire Stations
2. Church Street Pump Station
3. Lane Library Energy Improvements

II. Public Comment Period

III. Announcements and Community Calendar

IV. Appointments

1. John Nyhan
 - a. TCSP Program Application
2. Michael Schwotzer
 - a. 2011 Encumbrances
 - a. NH DRA 2012 MS-DT Form – Default Budget

V. Minutes of December 19, 2011 and December 28, 2011

VI. Town Manager’s Report

VII. Old Business

1. Updated 5-year Financial Forecast
2. Warrant Articles – Vote to Recommend/Not Recommend

VIII. New Business

1. Selectmen Coverage for Primary Elections – Tuesday

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XI. Adjournment