

Town of Hampton



Hampton Board of Selectmen Minutes of February 06, 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

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

SALUTE TO THE FLAG

I. Public Comment Period

Arthur Moody talked about being half way through winter and spring coming early this year. He mentioned having a mild winter and hopes we do not pay for it later.

II. Announcements and Community Calendar

Mr. Pierce reminded everyone once again to recycle and shared that this will help raise revenue, is good for the environment and helps to keep the landfill from overflowing. He talked about the placement of the barrels.

Mr. Znoj will also ask that residents recycle and put the green barrels out and not just the blue barrels.

Mr. Griffin mentioned how many people have changed the way they shop and how he himself has purchased a water cooler so that he does not have to buy bottles of water. This can also have an impact on the amount of recycling a resident may have.

Mr. Lally would like to thank the people who did come out for the Deliberative however, the number of attendees were still low.

Mr. Znoj mentioned that both trash and recycling tonnage is down from 2006 so he would agree with Mr. Griffin on the fact that people are shopping different.

Mr. Pierce brought up the recycling of computers. They also discussed how people do not buy as many newspapers as they used to either.

III. Appointments

1. Keith Noyes, DPW Director

a. Departmental Update

Mr. Noyes shared how impressed he has been with the employees, residents and other departments. Everyone has been so welcoming and the quality of their work is very impressive.

Mr. Noyes has been working on the following in the administration: team building with management team and coaching management and supervisory skills, 2012 budget submittal and presentation, assist with SEA Collective Bargaining negotiations, assist with development of Church Street wastewater pumping station project, assist with North Hampton State Beach bathroom sewer discharge agreement, JLMC Chairman, Capital Improvement Plan and routine administrative duties. He talked in greater detail on items he has been working on in regards to team morale and motivation of employees. The following has taken place in the highway department: busy getting ready for winter, holiday challenges faced with trash/recycling, Town wide storm cleanup, work to make sure all the plows and snow removal equipment is up and working, put out to bid the snow removal for Town parking lot and other routine jobs.

In sewer and drains they did the following: oversaw the major cleaning of many sewer lines, cleaned and video inspected the sewer mains on the streets west of Ashworth Ave, have contacted the engineers in regards to the west side streets, reconstructed the drainage system on Cogger Street, 12 sewer manhole frames and covers were removed and replaced in conjunction with the repaving of Tide Mill Road, the site of the old Town Office was graded, topsoil hauled in and spread and seeded, 12061' of sewer mains were cleaned and 70 utility locations were done and 11 sewer inspections were performed.

In engineering they have been working on: creating a "Plan of Action" to address all infrastructure mapping, inventorying and condition assessment needs which includes waste and storm water infrastructure, roads, street signs and street lights, discussion on street signs and street lights around Town, drainage survey and replacement plan and cleaning schedule for culverts.

In WWTP have been working on: dewatering plan, continue working with GHD on future upgrades to WWTP and Church Street Pump Station and mechanic has resigned to go to another job. As far as the Transfer Station goes: the recycling rate for the quarter dropped by 1% from 2010 to 2011, issuing carts to people mostly businesses at this point, preparing to issue carts to summer residents when they return and the need to talk about how we are going to go about picking up trash at the beach this summer. He discussed in further detail the problems with how narrow some of the streets are at the beach and problems with parking on some of these streets. The possibility of using the rear loaders in certain areas.

Discussion

Mr. Pierce asked about the west side streets and if they plan to complete the work with the money left in this account. Mr. Noyes explained that they are in the process of looking at the design work and getting as many of the streets done as possible but there will probably not be enough money to do all the streets.

Chairman Nichols asked about the Cogger Street area and Mr. Noyes confirmed that the work is still not complete. Mr. Noyes stated that once they have constructed the pump station in this area they will go back and complete the work including spreading loam.

Mr. Pierce asked about some of the streets on the west side of Town including Fairfield and wonders where we are at with these streets. Mr. Noyes stated that basically the design work is done and it will go out to bid to have the work done in the spring. Mr. Noyes also brought up how he plans to be spending the money and getting the work done. He has some ideas and in about a month or so, he will be talking to the Board about how we go about hiring engineers and getting good engineers to get the work done.

Mr. Znoj asked about where we are at with the Church Street Pump Station plans. Mr. Noyes stated that they are good to go they are just waiting for the vote. If the project is approved, he will be sitting down and working out a contract with GHD. Mr. Noyes stated that the preliminary design work is what has been completed.

Chairman Nichols is not sure that everyone understands the difference between conceptual designs versus a final design, which is a biddable document versus a design build situation. He asked Mr. Noyes to explain this in greater detail for the public.

Mr. Noyes shared some history on a design plan in Exeter and how the final project was voted down multiple times. Mr. Noyes explained that a preliminary/conceptual design cost 1/10th of the price and that is why he likes to go this route. Chairman Nichols stated that at this point, what has been done on Church Street Pump Station is the conceptual design. Mr. Noyes did state that he has worked a contingency of 10% into the plan in case they run into issues with the soil but test borings were done so there should not be any real surprises. Mr. Noyes stated that he usually expects to spend 30% on the engineering cost for a project such as this. The amount expected to spend on engineering and legal at this point is around \$600,000. Chairman Nichols mentioned that there has been a lot of criticism that there is not a final design plan but at this point, it was better to not go out and spend \$600,000 on something that has not been approved by the voters. Therefore instead we spent \$35,000 to come up with what we feel is a very good cost estimate for this project. Chairman Nichols thinks it is important for people to understand that this conceptual design is very good.

Mr. Znoj shared some history on how they brought down the original \$7M project. There was a discussion on how some people have fear left over from the beach infrastructure project and how this project is not the same and things have been done differently this time. Chairman Nichols also brought up the misconception that some have had that this is a design build and not a conceptual design like it is. They discussed a design build in greater detail.

Mr. Znoj asked about the 2' extension in the salt shed to help prevent corrosion. Mr. Noyes stated how this was necessary so that when the trucks come in to load the salt does not spill down the sidewalls and cause corrosion. He went into further detail for the Board on what was done to prevent this corrosion.

Mr. Znoj asked about the pump station in the Cogger Street area and Mr. Jacobs is working on this. Mr. Znoj wonders how this works and Mr. Noyes demonstrated on the board how this will work. He showed some of the original problems and what has been done to correct these problems.

Mr. Pierce asked about the drain when you come in on the west side of Mill Road and if this area will be fixed so that the water does not run into this resident's lot. Mr. Noyes stated that after this is fixed the water should run under the road. Mr. Noyes stated that he would have

liked to start at the Grist Mill and work back. However since money is an issue this is the best thing to do to fix the problem.

Mr. Znoj wonders when they plan to hear something on streetlights and it will be done this year but is not a top priority at this point. He asked about the generator at the WWTP and Mr. Noyes is still looking for an electrician to complete this job. There was a discussion on possible use of the old generator. They discussed the licensing through EPA and DES and the process involved. Mr. Znoj asked about GHD coming in to discuss WWTP and Mr. Noyes will let him know when they are coming in. He asked about the east end of High Street and the possibility of pumping water out in this area. Mr. Welch explained what the problem is with drainage in this area and he has asked DPW to look at this area. The only way of effectively doing this at this time is to put in another manhole. Mr. Znoj wonders if they have discussed raising the road in this area and Mr. Welch does not feel this is a good solution. Mr. Welch also mentioned how the culvert is too high in this area. Mr. Noyes stated that this is not on the plans at this time.

Mr. Lally asked about the ratings of the roads and how BETA Group did this a couple of years ago. He confirmed that Mr. Noyes does have this report and it will be referenced. Mr. Noyes stated that it is not just the condition of the road that should be factored in and he shared some thoughts on how the roads should be measured.

Chairman Nichols asked about the ornamental lighting on A and B streets and how it was decided to do these streets first. Mr. Welch stated that it has not been decided at this point but instead he has asked the DPW Director and both Chiefs to look at this and decide what streets should be done first. Chairman Nichols confirmed with Mr. Noyes that the new trucks are all working and have only one employee on the trucks at this time.

IV. Minutes of January 23, 2012 and January 30, 2012

Minutes of January 23, 2012

Page 6. Third paragraph, change the amount of 251,000 to 261,000.

Sixth paragraph, rework the sentence to say “Mr. Znoj voiced his displeasure with line item 4312, the paving and reconstruction line item, which was budgeted at \$622k and 562K was spent with open PO’s of 115K leaving 117K and he thinks this is an area where we should have spent money”

Page 11. Remove the zero in the confirmation of the vote in the last sentence on the page.

Page 12. In the vote for the tally, insert “Under RSA 35:5,V,(a)” before the word “of”

Mr. Znoj MOTIONED to APPROVE the minutes of January 23, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

Minutes of January 30, 2012

Page 5. Insert the following sentence in the 4th paragraph before Mr. Welch’s statement “It was the Boards consensus to bill the State in the same way as Rye.”

Page 6. Replace “He also” with the following in the last sentence of the first paragraph under New Business “Chairman Nichols asked the question of and the DPW Director”

Mr. Znoj MOTIONED to APPROVE the minutes of January 30, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

V. Town Manager's Report

1. Donation from Tobey & Merrill Insurance of \$1,000 to Parks & Recreation

Mr. Welch thanked Tobey & Merrill for this donation that will cover the deductible for the damage that was done to the Tuck Field building.

2. LGC WELLDollars Grant Award of \$1,500 to Fire Department
3. The Conservation Commission is working a new rain barrel program for this spring
4. Declaration of candidacy filings for elected officers closed last Friday at 5 PM.
5. Annual Town Election is March 13, 2012. Absentee ballots can be obtained from the Town Clerk. Please file early.
6. Abatements for 2011 property taxes are due by March 1, 2012; applications for exemptions and tax credits are due by April 15, 2012. See the Assessor's Office for applications documents.

Other Items added to Town Managers Report

He has received a communication from Donna Lane who was the Community Development Block Grant coordinator requesting that the CDBG grant for SleepNet be given an extension of one year. The product launch has been delayed from the fall to the spring. In addition, they plan to launch two more products in 2012. They are asking for an extension from June 30, 2012 to June 30, 2013.

Mr. Znoj MOTIONED to approve the extension on the CDBG grant for SleepNet for one year to June 30, 2013. Mr. Pierce SECONDED.

VOTE: 5-0-0

There was a communication from Steve Miller about a bill in the house that they would like the Board to send their support for the Regional Planning Commission. The bill in the house would repeal and do away with all Regional Planning Commissions in the State of NH. The Board discussed what the Regional Planning Commission does and the importance of supporting the Commission.

Discussion

Chairman Nichols wonders if they have any plans as to who would handle the things that this Commission currently handles and Mr. Welch stated this has not been decided at this point. The Planning Board has been asked to express their support also. There was a consensus amongst the Board that the letter of support should be sent.

Mr. Welch stated that the alerted counsel is going to request of the Board that he be allowed to go to Concord tomorrow and testify on the bill that Senator Stiles has in regards to Senate Bill 261. Atty. Gearreald has spent a lot of time helping the Senator write this bill along with a couple of things that Mr. Welch added himself. Atty. Gearreald expanded further and stated that at the request of this Board Senator Stiles has put in a bill in regards to several aspects of Town Meeting. He went through the items that are included with this bill. One of

the items is in regards to amending articles so that the subject matter of the article cannot be changed with the word “not” (the reversal of the intent of the article). Atty. Gearreald explained that language has been added that states that warrant articles be implemented within 90 days and language has been added so that ordinances (full text) will not have to be printed in there entirety on the ballot.

Discussion

Mr. Pierce wonders if this bill also deals with changing the money involved in an article. Chairman Nichols asked about bringing money articles down to zero and Atty. Gearreald stated that this is not included in this bill. Chairman Nichols asked Atty. Gearreald to follow up with Senator Stiles to see why this language was excluded. Atty. Gearreald will follow up with Senator Stiles.

Chairman Nichols asked Atty. Gearreald where someone would go to see the complete changes to ordinances printed on the ballot and this information can be found in the Town Clerks office and has to be kept on file. It was discussed how ordinances on the ballot would appear similar to the way that Planning Articles appear. The consensus of the Board is that the Town Attorney go to Concord tomorrow and testify on the bill that Senator Stiles has in regards to Senate Bill 261.

Chairman Nichols brought up the North Hampton State Beach and one of the things that they ran into with the warrant article was that it referenced a particular number in the ordinances and how this number does not match how the ordinances are numbered online or in the book that the Board has. Mr. Welch stated that the bill that Atty. Gearreald brought up in regards to not having to print a complete ordinance on the ballot but instead a synopsis, which will allow them to write an article to change the numbering system of ordinances on, next year’s warrant. At the current time, they are running two sets of numbers in regards to ordinances. Chairman Nichols brought this up so that people understand that there is not anything funny going on here but instead just that there are currently two different sets of numbers running in regards to ordinances.

VI. Old Business

Mr. Znoj would like to discuss the Deliberative Session and gave the following update. He watched how many people were there and in the morning, we had about 85 people and in the afternoon, there were about 65 and after five there was about 37. Of the people there 35 spoke and there were about 100 trips to the microphone during the day. He feels that there is something wrong here. His summary of the participants included 7 members of the Budget Committee huddled together and represented 20% of those that spoke and made 29 trips to the microphone which represents 29% of the trips to the microphone. We have four long-standing pillars of the society such as Mr. Moody at 11%, who went 28 times to the microphone. Therefore 58% of the trips were made by these two groups of people. There were 22 citizens including Nancy Stiles who collectively made 41 trips to the microphone. There were two State Reps who spoke on State subject articles, made up the remainder of the 100. He commented further on the items that members of the Budget Committee spoke on against and how he believes if there was not the controversy around the Legal Department attendance would have even been down further. He wonders what kind of value we get out of 10 hours and he plans to discuss this further with the legislators when they come in. He is

fine with the form of government but wants to see what can be done in regards to the Deliberative Session, especially when less than 1 percent of the voting population is changing the warrant articles for the remaining voters to vote on.

Mr. Pierce believes there were nine members of the Budget Committee present. He shared how when he was on the Budget Committee he did not get up and speak very often. He agrees with Mr. Znoj's point that attendance is terrible and needs to improve. He thinks that people should not have any fear of getting up and speaking. Chairman Nichols disagrees since many people are bashful and find it hard to get up and speak.

Mr. Pierce asked about taking prescription medications for disposal. Mr. Welch stated that the Federal program is being run by the Police Department, who will take prescription drugs with no questions asked, but you would need to call the Police Department to see when this program is being run.

Chairman Nichols stated that the Board has the opportunity to change their vote or revote with regards to recommendations on any money oriented warrant articles where the amount changed at the Deliberative Session. There were two articles that this occurred one was the Fire Stations and the Board had voted 5-0. The Board does not wish to change their vote but Mr. Znoj wants to make sure everyone understands the tax impact. Chairman Nichols has modified his forecast today to reflect what went on at Deliberative Session, the changes were an increase to the operating budget and the phase 2 of the Fire Station being moved from 2016 to 2013, and the impact to the municipal tax rate for the combination of the two will be 5 cents for 2013, 2014, and 2015 and 2 cents in 2016. The second change was adding \$132,000 back to the operating budget for the Legal Department and the original vote of the Board was 3-2 to not recommend, with Pierce, Znoj, and Nichols not recommending the budget. The operating budget coming out of the Deliberative is \$24,520,640, the default budget is \$24,632,021, and the difference is roughly now \$111,000 between the budget and the default budget. He would like to know if the Board would want to give consideration in making any changes to their recommendation on this article. There was a discussion on the difference between the budget and default budget amounts. Chairman Nichols had some problems with the budget after it went to the Budget Committee and the main concern was the Legal Department being removed from the budget.

Mr. Pierce wants to make sure that the Board is ok with the amount and the difference between the budget and the default budget. Mr. Znoj is ok with this change and the budget amount. Mr. Pierce thinks it is a little tight. They also discussed the possibility of income from recycling helping to increase revenue.

Chairman Nichols MOTIONED that the Board of Selectmen recommend the Operating Budget \$24,520,640. Mr. Lally SECONDED.

VOTE: 5-0-0

Chairman Nichols did go to Concord and testify on both spiking bills. He was not optimistic after seeing who sponsored each of the bills. He did find flaws in the bill to change how spiking charges are calculated. Everyone who testified with the exception of two, were in favor of Senator Stiles' bill and opposed to Senator Groens' bill. The hearing was recessed and will be picked up again this Thursday, he would like to go and testify again in opposition to Senator Groens bill; the Board supports this.

VII. New Business

Chairman Nichols commented that the Board discussed last week that on the 13th they plan to discuss the warrant articles. At the time, he did not realize that the legislators are coming to the meeting on the 13th so he would suggest moving the date of the discussion on the warrant articles. He would propose that the Board has a meeting on February 20th even though one is not scheduled and the only item on the agenda will be the discussion of warrant articles unless there is some sort of emergency. He reiterated that they will not discuss all the articles but instead the big hitters. Mr. Znoj is fine with this and thinks it is important to inform the voters. Chairman Nichols would like to invite Chief Silver and Mr. Noyes to attend that meeting to discuss the Fire Station and Church Street Pump Station. There was a consensus amongst the Board and Mr. Welch will inform Chief Silver and Mr. Noyes of the meeting.

VIII. Consent Agenda

1. Donation from Tobey & Merrill Insurance of \$1,000 to Parks & Recreation
2. LGC WELLDollars Grant Award of \$1,500 to Fire Department
3. Tax Abatements: 2011-2 / 96-1-1 / Woodland Rd; 2011-3 / 217-1 / Landing Rd; 2011-4 / 151-16 / High St; 2011-5 / 202-1-50A / 160 Lafayette Rd #50A; 2011-6 / 202-1-108 / 160 Lafayette Rd #108; 2011-7 / 202-1 D / 160 Lafayette Rd #D; 2011-8 / 202-1-98 / 160 Lafayette Rd #98; 2011-9 / 202-1-95A / 160 Lafayette Rd #95A; 2011-10 / 169-7 / 286 Towle Farm Rd; 2011-11 / 29-3 / Rear Exeter Rd; 2011-12 / 287-22 / Brown Ave; 2011-13 / 144-60-102 / 597R Lafayette Rd #102; 2011-14 / 184-1-1 / 29 Hickory Ln; 2011-15 / STA-LSL-LUPO / State Parking Spaces
4. Exemptions and Credits - Veterans: Iverson, Jennifer, B (Geroge)
5. Appointment to the Recycling Committee – Norm Silberdick

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

VOTE: 5-0-0

IX. Closing Comments - None

X. Adjournment

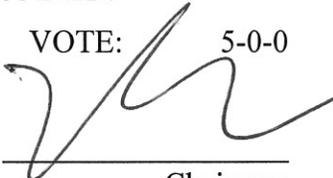
On motion made by Chairman Nichols and seconded by Mr. Znoj to enter into a Nonpublic Session under RSA 91-A:3, II(c).

By roll call vote, the Board voted unanimously to enter into a Nonpublic Session under RSA 91-A:3, II(c).

And;

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

VOTE: 5-0-0



Chairman