

Hampton Board of Selectmen  
Minutes of July 16, 2012

PRESENT: Richard Griffin, Chairman  
Richard Nichols, Vice Chairman  
Michael Pierce, Selectmen  
Ben Moore, Selectmen  
Philip Bean, Selectmen  
Frederick Welch, Town Manager  
Mark Gearreald, Town Attorney

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Comment Period

Victor Demarco would like to comment on the discussion the Board had with Chief Sullivan last week in regards to lack of police coverage on the beach with the low numbers of Police Specials. He stated that in the 70's and 80's the State provided 10 officers to patrol the beach and we might want to contact the State and remind them of this fact. The other item he would like to discuss is on the agenda tonight for the release of funds from the CIP for DPW packer and sidewalk plow. He wonders what happened to the sidewalk plow that was purchased 2 years ago for \$150,000. He is opposed to taking the money out of this fund and thinks that the voters should have the chance to vote on these withdrawals. It should be on the ballot just as any other item would be. The third item he commented that we just celebrated the one-year anniversary of the Town picking up recycling. They were told at the time that that they would receive updates on a regular basis of the cost involved with recycling. This has not happened and he would like to see the cost that the Town saved in this past year over the previous year in recycling pick up.

Fred Rice, 15 Heather Lane, has three items to discuss. He shared concerns with the intersection in the center of Town and the problem that arises with traffic traveling northbound on Route 1 and turning left onto Exeter Road, he would like to see some work done on this intersection in regards to the light pattern and he hopes to see the Board take some action on this soon. He thinks the easiest way to solve this is to hang a sign saying left turn on green arrow only. He also brought up the warrant article that passed by 2/3<sup>rd</sup> vote that recycling is mandatory at a gathering of more than 25 people. He has seen nothing done on this by anyone including the Board of Selectmen. He listed out the fines involved with this article and it is the Boards responsibility to enforce this. In regards to the trash truck, he reminded everyone that in 2011 they spent \$1.3M on three trucks and other equipment. He thinks money is being wasted on this when you see a trash truck going down the road with one employee on it followed by an older packer with three employees, which is a waste of money in his opinion.

Mary Louise Woolsey, 148 Little River Road, clarified that the article Mr. Rice was referring to was article 48. She shared with the Board that before the Recycling Committee meeting last week she took Mrs. Latimer over to the DPW facility to show her something that she caught sight of that disturbed her. She did add that the DPW facility is very well maintained by Mr. Noyes and his staff. However, there are two big mounds of waste from the beach. When she looks at the waste article that supersedes all others in 2009 article 33 section 4 utilization of facility in regards to the State use. And asked whether or not we are charging the State and asked about any problems from the sand, as she is very concerned with what is happening with this sand and possible contamination.

Ernie Thibeault, owner of Hampton River Marina, very concerned with what happened a few weeks ago and there is a very serious safety concern. He has owned the marina for 6 years and a few weeks ago, the Town decided that the back gate needs to be closed. When he received the letters, he tried to contact Mr. Welch to attempt to set up a face-to-face meeting and did not receive a return phone call. His representative did come to the Town Office and met with Mr. Welch face to face about the situation. He does not think that the Town thought about this problematically and he went through the travel pattern. He shared some real concerns with this and how it is really just redirecting traffic down Harris Ave, which has the most children. He has a real problem with this done on the Fourth of July weekend and how the other night Mr. Welch failed to show any of the correspondences that Mr. Thibeault had sent back. This access road has been open for over 10 years. He has done a lot with this marina and thinks he should be treated differently.

## II. Announcements and Community Calendar

Mr. Moore announced a fundraiser for Terry Sliby who has been diagnosed with cancer; it is a motorcycle ride starting at Little Jack's in Hampton on July 28<sup>th</sup> for more information call Ken at 918-8001.

## III. Appointments

1. Ann Carnaby and Corinne Baker, Recycling Committee
  - a. Recycling Mascot

Ann Carnaby announced to the Board that they would like to introduce Celestina Serpentina.

Mrs. Carnaby explained that Celestina Serpentina comes with music, is 33 feet long, requires eight very talented handlers, she winks, blows bubbles, and is quite appealing. Karen Raines imagined her. Her purpose is to be the family friendly official mascot and serpent for recycling in the Town of Hampton via the Recycling Committee. She is a green sea serpentine with a very green message. She is made of 100% recycled soda bottles and the green felt was supplied by Foss. She has pockets to carry information including recycling tips along her body. She is available to appear at events, is currently booked for the end of the Children's Festival, and is expected to be invited to the schools in the fall.

The Recycling Committee has voted to adopt her as their official mascot and they are going to ask the Board to adopt her as the official mascot of the Town for recycling.

Ms. Carnaby listed out all the handlers for the Board. She provided the Board with a packet of information on what she discussed tonight including the lifecycle of the water bottle and the different types of felt that Foss makes.

Corrine Baker on behalf of Jane AnsaldoChurch and she reiterated that they would like the Board to adopt Celestina Serpentina as the recycling mascot for the Town. She also reminded everyone that the materials used to make the mascot were from recycled materials including the felt that was made by Foss right here in Town. She read a prepared statement from Jane that includes much of the same information that Ms. Carnaby had previously shared with the Board.

Mr. Nichols MOTIONED to ADOPT Celestina Serpentina as the recycling mascot for the Town. Mr. Pierce SECONDED.

VOTE: 5-0-0

Ms. Carnaby introduced Karen Raines who was the idea behind Celestina Serpentina.

#### Discussion

Ms. Woolsey asked when the Board plans to adopt the Recycling Committees policy since it appears to have been scrubbed from tonight. Chairman Griffin asked if this is on the agenda and Mr. Welch stated he believes it was going to be discussed. Mr. Pierce stated that the first thing they were going to attack was the mission statement and this has not been completely finished as of this time. They are working on this though and he will get out to everyone as soon as possible. Ms. Woolsey stated that the policy statement that they were asked to work on has hit a snag. She commented on the copy from Atty. Gearreald and she believes that there are issues here and she is willing to discuss them now if the Board would like. Mr. Pierce pointed out that this is going to be discussed under item 4 Keith Noyes.

#### 2. Hampton School Board SAU 90

Several members of the Board are present tonight. She commented that they have a hard act to follow but agrees that recycling is very important and teaching the children about recycling at a young age is very important. Tonight they would like to discuss facility needs and the Town Clock.

##### a. Facility Needs

In regards to the Academy, they have had forums over the past 9 months and a work session. This allowed for comments and people have come forward to serve on an advisory committee. They are looking at both the current site and a possible site over on Batchelder property. They have taken a vote to support the review of the Hampton Academy site. She would like to make it clear that this is not a final vote about the site but that there are many questions that need to be answered. She comes to the Board tonight with their concern around space. The Board would like to work with the Town on common use of land. She discussed how the Academy abuts land that belongs to the Town with the parking and Old Court House and they would like to discuss the use of this land when exploring ideas on expanding the Academy.

The second thing they would like to discuss is the Center School is in need of two classroom spaces one for the preschool class and the Board will be turning to the Town on this in the future. She mentioned how the space is available to build two classes on top of each other. They have met with the CIP and would like to know the thoughts of the Board. The School Board was very interested in sharing where they are and where they are headed in terms of school facilities.

### Discussion

Mr. Pierce clarified that the School Board is thinking that they will need some additional space for the planning of the Academy and possible use of land where the Court House is. His thinking is that the Board is still in the process of discussing what to do with the Court House and the possibility of warrant articles coming forward on this. In his view if it was demolished there would then be land available for use. There was a discussion on State requirements for middle schools, a school the size of Hampton Academy would need about 15 acres of land, and although this is not available at the current location, they have discussed a waiver with the State. They also discussed field use at other locations.

Mr. Moore discussed the enrollment numbers and the fact that there are three grades at this school. They discussed projected growth for the future and it appears it will remain steady. Mr. Moore wonders about how they envision using the additional land if the Town was to make the arrangement more permanent as far as the parking area is concerned. According to some of the initial engineering/architect, work there is an additional need for square footage for the building. Mr. Moore stated that there are other entities in Town that may have their eyes on this space and that would need to be entertained.

Mr. Bean thanked the school board members and the Superintendent. He is a humble graduate of Hampton Academy and he looks forward to the two boards working together on this.

Mr. Nichols thinks they should approach it open-mindedly with an approach of what's best for the Town whether it's a Town issue, School issue or Library issue.

Chairman Griffin sees that they have done a lot of work here and commented on how the school has not changed since he went there in '63.

The members of the School Board look forward to working with the Town on this.

#### b. Town Clock

They are here to look for help from the Board on this. She provided some history on the clock and they understand that there is an ordinance that prohibits the Town from donating because of the value of the clock. Some concerns they have are related to upkeep, maintenance, and insurance. They need to come up with some sort of an MOU around these issues. They also need to confirm that the School even has a right to the clock and that the ordinance does not supersede any decisions that were made. Mr. Welch confirmed that there is a statute that says the Board cannot dispose of said property without a vote at Town Meeting. They could always go under the 4114 provision but this was a gift to the Town in perpetuity. Therefore, he believes they will need at least an action of Town Meeting and possibly the Supreme Court.

Mr. Pratt commented that he believes the Town owns the clock so he thinks that they are asking Center School for a place to put the clock. He thinks the upkeep and maintenance should be done by us since it is a gift to the Town. He would like to see this resolved and have a place to put the clock.

### Discussion

Mr. Nichols has a question probably directed to Mr. Welch in hearing some of these issues what if the Town was to continue to maintain ownership and to continue to have the

responsibility for the maintenance and upkeep if there is a location that is mutually agreeable to the clock committee and the schools where it can be physically located. He wonders if there is any reason the school cannot lease that land required for a dollar a year much the way the Town leases them some land for parking. Mr. Welch stated that the Schools would need permission from their meeting to do this. Mr. Nichols would just suggest this as opposed to Town meeting and court. The Superintendent discussed some of the concerns with the location in front of Center School. Mr. Pratt believes that we can get the gas company and the electric company down to locate a spot. He also pointed out the amount of space needed and it is not an enormous amount.

Mr. Moore would not be in favor of donating the clock he thinks the Town should maintain ownership. Therefore one of the issues would be whether it can be located on school property, he agrees the upkeep should be taken care of by the Town along with the insurance coverage. Mr. Moore wonders if these are the only issues or if there are other issues out there. The Superintendent stated that they have the issue of location and why the placement is very important. Mr. Moore commented that the committee working on the clock needs to be able to have a location so that they can complete their work. He wonders if the location at Center School is going to be solvable or is this just not going to work. The School Board thinks that they need to be able to see what it is going to look like before they can render a decision. The architect spoke and thinks that they all need to get together to discuss the placement and some of the concerns that come up with the placement. There are safety issues that have to be looked at and this can be done through a meeting.

Mr. Pierce wonders if the clock could be put way over to the right and the Board stated that this is a piece of land that they are considering but it still needs to be looked at. Mr. Pierce wonders if they want the clock on their property and if so they can find a place it will work.

Mr. Bean feels that wherever it is located it will need to be insured and have some security measures put in place such as a security camera.

Chairman Griffin hopes they can work something out here and it is important for the school to decide if they want the clock on their property or not.

Mr. Moore wonders if it is practical for Atty. Gearreald to work on the framework for an MOU on this at the same time that the School is working on a site. Mr. Welch pointed out that they may need to have a governmental agreement on this because of the statute.

Ms. Bridle thinks it is important to decide what the purpose of having a Town Clock is to have it in a highly visible area or is it to have a clock. Chairman Griffin thinks this is something that they will have to visit.

Mr. Pratt commented that the committee got together and decided Center School was the best place to put the clock. He went through the decision process that the committee went through when picking a location.

3. Michael Schwotzer
  - a. Monthly Financials

Mr. Schwotzer is here tonight to discuss the June financials. This is the sixth report for 2012 or half the year, which has a target of 50%. Next month, he will begin forecasting the year-end totals since the July results will contain half of the summer season activity.

Income – The motor vehicle income total came in at \$232k, which is \$19k above budget. On a year-to-date basis, it is 1.5% above target and \$61k ahead of '11. The other major contributors to the month's income total of \$633k were Interest on Taxes @ \$136k, Building Permits @ \$67k, Departmental Other @ \$118k, Parking Lot Revenue/Leases @ \$52k and Real Estate Trust @ \$28k.

Expense Summary – At the end of June the operating department (with debt service) were 45.16% of the budget, which is below the month's target of 50%. If this spread of almost 4% were maintained the throughout the year, we would expend the budget by \$1.2M. The Town Manager's P/T Wage account is approaching 100% of target. At the current rate of payment for preparation of the Selectmen's Minutes, the current budget only covers 26 weeks or approximately half of their meetings. In Personnel Administration, the line for the NHRS Spike Charge is no longer necessary because the Governor recently signed HB1483. This change has potentially saved Hampton hundreds of thousands of dollars and was a result of hard work by the BoS, State Senator and Reps, and the Municipal Associations. In Municipal Insurance, Health Insurance is back running slightly (.38%) below the monthly target. This is a result of the most recent bill reflecting union members having changed to a slightly lower cost POS plan (but not the expected HMO). The PD is running significantly below budget (7.5% but due to the seasonality of so many costs, this is not a true picture. The "usual" accounts (OT and gasoline) are already showing a trend that will have them over budget for the year. The FD is also running significantly below budget (4.9%) but as with the PD, this is mainly due to the seasonality of the Fire Departments activities. FD OT Expense is still approximately 40% of its YTD target and \$8k less than in 2011. In DPW both sections are running within their respective budget overall (under by 7.9% and 6.8% respectively). The only major account with an overage is the Tipping Fees in WWT Admin, which has been running \$6k over budget for the last two months. In the Library, every account is at or below the 50%. The PO analysis shows that 60% of the 2011 encumbrances have been paid out through June. The \$48k of these unexpended funds relates to the Town's portion of the Lafayette/Winnacunnet Road intersection project. The Public Works Capital Reserve Accounts Analysis since no fund transfers have occurred between the Town and the Trustees of the Trust Funds, no activity is being shown in the 2012 actual column. In Fund #24 – Recreation, Beach Stickers donations are now up to \$22k. The Activity Fee Revenue is running \$62.6k ahead of the Program Expenses, but this will change now that the summer camp season is upon us.

#### Discussion

Mr. Bean thanked him for his report. He would like Mr. Schwotzer to share how some of the subordinate cost can be shown in relation to the State. Mr. Schwotzer stated that accountants tend to be historians and he will have to look at the cost in relation to ambulance runs and police duty. Although they have increased costs, it will not be seen in full until we get further into the season.

Mr. Nichols pointed out that the Legal Department has only spent \$17,000 in outside legal fees so they are way under budget. He asked Mr. Schwotzer to explain what drove the shift in health insurance costs. Mr. Schwotzer explained that when he did his original analysis he did not take into account the shift in cost for the POS plan being lower. He added that all the changes have been made and now the actual costs are being realized. Mr. Nichols pointed

out that Mr. Schwotzer has completed the analysis on the tax rate in relation to the CIP and Mr. Schwotzer would prefer to wait and discuss this when Mr. Noyes discusses the CIP later.

Mr. Pierce thanked him for the purchase order report and wonders about the small ones and why they are not being wiped off. Mr. Schwotzer is working on this. Mr. Pierce asked for information of some accounts including Elected Officials Wages in Finance, Buyback line item and health agency payments.

Mr. Moore asked about PO report and the small ones that Mr. Schwotzer is still working on. Mr. Moore asked about the Capital Outlay vehicles and wonders if it is related to DPW vehicles and Mr. Schwotzer confirmed this to be true. They also discussed the amounts being charged to the capital reserve. Mr. Schwotzer commented that the capital outlay accounts should come in at or below what has been budgeted and approved. He added that at the end of the year the overspent amount should be \$586,702.

Chairman Griffin thanked him for his report and staying around for the CIP discussion.

4. Keith Noyes
  - a. Recycling Enforcement

Mr. Noyes brought up recycling enforcement and a number of legal issues have come up that need to be resolved. His recommendation is that they table this for the time being until he can get with the Town Atty. and review the ordinance.

#### Discussion

Mr. Nichols confirmed that the current ordinance needs to be changed in order for them to continue enforcement in the manner that was being proposed. He wonders if they have come up with some enforcement that can take place under the current ordinance. Mr. Noyes explained that it is very complicated and stated that he was not here when the original policy was written and there seems to be a question on whether or not recycling is mandatory. Mr. Nichols stated that when this was looked at in 2009 both the Town Manager and Atty. looked at this and there was no question whether or not this was allowed. Mr. Nichols read portions of the ordinance for the Board. He understands the question of the proposed enforcement but wants to make it clear that recycling is mandatory and not a choice. Mr. Welch agrees that the Town does have the authority to make recycling mandatory but the area of enforcement gets a little more complicated. Mr. Noyes just wanted to point out that he is constantly facing problems with the enforcement policy and he needs to have some more time to discuss this further with the Town Atty. Mr. Nichols is just suggesting that a timeframe be set that Mr. Noyes comes back to the Board with some information on this.

Mr. Bean wonders what the issue is here that the Town wants to fine residents who are not recycling. He would like to know the cost involved with this problem to assess punishments on residents. Mr. Noyes would have to work these numbers up for the Board. Mr. Bean thinks that they need these numbers before they start discussing fining people. Mr. Noyes sees the point he is making and agrees that this is important to understand. Mr. Noyes also shared some information on pay-as-you-throw and how this increases recycling. He does not believe that the Town wills double their recycling rate even if they have a very strict enforcement policy in place. Mr. Bean thanked him for his leadership.

Mr. Pierce pointed out that the policy that the Recycling Committee has come up with does not have any fines but instead encourages people to recycle. He does not think there should

be any punitive fines and he is against any pay-as-you-throw program. The policy they have written only includes someone's trash not being picked up if they are not recycling. He also thinks that it is good to have Atty. Gearreald look at these things but feels that it does need to be put forward.

Mr. Moore commented for something that they were going to postpone they sure did spend a lot of time on this tonight. He does not understand all the comments made by Mr. Bean.

Mr. Pierce would like this on the agenda in the future and the Board agreed to put this on the agenda for August 13<sup>th</sup>.

Departmental Update – Mr. Noyes announced the newest senior manager Mike Dube who will be managing the WWTP and the pumping stations. The second quarter was very busy for them. They have developed, negotiated, and executed the engineering contracts for the Church Street Pump Station Project and the Lafayette Road/Winnacunnet Road Intersection Project. They prepared and submitted their 2013 Operating Budget. They learned that the Concord CoOp has dropped plans to build a facility and he is working on finding somewhere else to dispose of recycling. He participated in Seabrook Plant Drill. They celebrated Public Works Week with a cookout and proclamation from the Board of Selectmen. They have submitted an application for a grant for the Church Street Pump Station Project. He continues to work on purging and storing the old files. As far as WWTP, they have had no violations, looking at phase II of dewatering project, North Hampton Bathhouse has tied into sewer, cleaning and painting of outside tanks, annual pretreatments done at Foss and Brazonics, roof bids went out to replace three roofs and personnel changes. In highways they repaired 100 feet of guardrail at Towle Farm Road, set up bus lane and other traffic patterns for Chief Maloney service, removal of seaweed on Town beaches, put up 2 signs for fire, helped with removal of lobster traps, put up signs for Seashell Gala, no parking for graduation at Winnacunnet, helped Recreation with the skate park and Island Path Parking Lot and painted lines in all Town lots. At the Transfer Station they had the DES site inspection and results of inspection, 2 new orders for trash and recycling carts went out, 2 years minimum of compost removed, bid for brush stumps and log pile, replace standalone scale from Northeast Scale and pricing on this, alternate way of weighing DRED when they come in during off hours and two new ejection trailers have arrived. In sewer and drains listed work that has been done on drains around Town, manhole repairs, new drainage on Cogger Street, major sewer projects, cleaning of sewer at beach, demolition at Skate Park, 140 utility locations made, sewer mains cleaned and basins cleaned.

Mr. Jacobs provided an update on the Cogger Street drainage and he thanked the residents for their help to get this done. The improvements for Tuck Road bids came in way to high and with only one bid so they are breaking this down into more manageable sized projects. He discussed the work that has been done with Urban Tree Service. The landfill monitoring has started and Wright Pierce has been hired for a 2-year period to perform regular inspections. He has been notified that the Town is going to be awarded the Lafayette Road/Winnacunnet Road emergency grant. He has put together survey proposals so that they can get a design plan on this and hopefully constructed. The Mill Road drainage has been completed and he thanked the residents for their support on this. He provided an update on the Fairfield/Belmont area. Their Engineering Technician Ryan Flynn is working on culvert replacement/repairs over at Eaton Park. The SRF application for dewatering has come back with a request for further information and that was provided. On or around June 5<sup>th</sup> there

was an astronomical high tide, some areas were underwater, and the large increase of intake at the plant. The Waste Water renewal application was filed.

#### Discussion

Mr. Pierce asked about the demolition or relocation of the building adjacent to the Grist Mill. Mr. Noyes explained that there was an offering of grant money available it does not mean that they are going to do anything. He has contacted the people who live there and their open to the idea. The drainage pumps that they are going to put in on Tuck Road will be put back out to bid and once this is complete they should no longer have problems in this area. Mr. Pierce asked about the possibility of asphaltting the road in the area of Fairfield and Mr. Jacobs explained the plan they have in place for asphaltting this area. They discussed the possibility of mowing the area near the pond on Woodland Road.

Mr. Moore confirmed that when they did the work on Ashworth with the Infrastructure Project the manholes were not done with gaskets. The cost of the manhole cover with a gasket is \$525. Mr. Moore thinks it is a no brainer and this should be done. The permit request for the dredging at Tuck Field has not gone in yet. Mr. Moore brought up the Lafayette Road/Winnacunnet Road and asked Mr. Noyes to clarify the cost involved and the approval given by the Board for \$10,000. Mr. Noyes confirmed that it is a two-phase process and the \$10,000 that approved by the Board was correct. Mr. Moore would like to see a recycling report for the first year with the cost component as mentioned during public comment. Mr. Moore wonders if they know the timing of the Hazard Mitigation assistance grant that was filed on the Grist Mill. Mr. Moore confirmed with Mr. Noyes that that the Solid Waste Hauling contract is done.

Mr. Nichols asked about the Church Street Pump Station Project and the previous discussion of bidding this out in two phases in order not to be stuck with the SFR procedures, specifically regarding the wage rates for construction, Mr. Noyes confirmed that they have meet with the engineers and it will be bid out in both ways. Mr. Nichols confirmed with Mr. Noyes that Wright Pierce has been selected as the engineering firm for that component, and the construction aspect will have two bidding processes. It was clarified that the engineering contract is just through to the bid opening, it is not the \$340,000 for the design of the station. Mr. Nichols wonders how many additional carts were ordered and Mr. Noyes does not have the exact number but believes it is around \$6,000 for a few hundred carts.

Mr. Nichols asked about the Cogger Street area and wants to know if this area is better off without having the Tuck Road pump station and Mr. Jacobs confirmed two properties are but the rest are not. Mr. Nichols wonders how far off we are on the pump station. Mr. Jacobs stated this would be going on through August and into September. Mr. Nichols asked if they would like to comment on the beach raking piles Mary Louise brought up. Mr. Noyes believes that there is only a pile of one year. He has to agree with her and he would like to get out of the business of handling the State's sand, he intends to charge the State in full for any cost involved with this. Mr. Nichols asked about the sidewalk winter maintenance policy and will this be done prior to the winter season. Mr. Noyes confirmed this would be done before snow flies.

The final item is the status of westside streets at the beach. Mr. Noyes stated it is on hold because the Board asked for it to be placed on hold. Mr. Nichols stated that he did not ask for it to be put on hold but questioned whether it conformed to the purchasing policy. Mr.

Noyes stated that they are all set to go but was told by Mr. Schwotzer that it could not be signed. Mr. Nichols stated that he would suggest that Mr. Noyes get something in writing to Mr. Welch for approval by the Board to go with FST. There was also a discussion on how they have probably missed the window for this year because of this delay but it could be done early spring. Mr. Welch added that there are no State funds involved.

Mr. Bean confirmed that the Town was reimbursed for Mr. Noyes time for participating in the Seabrook drill. Mr. Noyes and Mr. Welch went through the drill details for the Board. He congratulated them on no violations for the WWTP. He wonders if Mr. Noyes would like to comment on the replacement of the sidewalk plow as questioned during public comment. Mr. Noyes confirmed that this is not a replacement put instead an additional so that they have a spare. Mr. Bean wonders what Mr. Noyes road map is to get some State aid for roads. Mr. Noyes shared some information that they received from the State DOT and having a person from the Town work with the State. Mr. Welch stated that it should be a combination of Mr. Noyes and himself. Mr. Bean wonders if with his tenure with other Town's did he have shovel ready projects and he did. Mr. Bean pointed out that Hampton then has some work to do on this and having shovel ready projects. He wonders how long it would take to get a shovel ready project and it would take 3 or 4 months to get a conceptual design. Mr. Bean stated going forward with the CIP his focus is on DPW.

Mr. Pierce wonders if the State has a facility that they could screen the sand. Mr. Nichols stated there are a few places but he reminded the Board that the State does allow the Town to use their equipment to clean the Town's beaches.

b. CIP

Mr. Pierce has a question before they start and he wonders what the Town Manager's philosophy was when creating this list was it a wish list or what they could practically afford. Mr. Welch stated the philosophy was to ask what priorities the departments have remembering it has to be put forward for a six year period. He reminded the Board that the final selection for the CIP comes from the Board of Selectmen.

Mr. Noyes provided the Board with the project expenditure summary, which he went through for the Board, and the fact that he came up with two plans for the Board going out 10 years. He explained how they went through all the vehicles/equipment and came up with a 10-year replacement plan. He discussed that they have some really poor vehicles and equipment out there. He also brought up the rotation plan that he will put in place to get the most use out of the equipment. A lot of planning went into this so that they would not have large spikes in any one year.

Mr. Moore asked about the replacement of three rear loader rubbish trucks one in 2013 and two in 2017. He wonders if it was part of the plan to have the three new mechanical arm trucks and then still add three new rear loader trucks. He does understand the need to have the rear loader trucks at the beach but will these only be needed in the summer. He is surprised and troubled that this equipment is still needed to be included in the CIP. Mr. Noyes commented that 9-months out of the year they have four trucks go out and there is a need to have one spare since these highly mechanical machines need repairs. Mr. Moore is bothered by the fact that the CIP is jumping to \$565,000 from \$340,000. He provided some history on when the CIP for DPW was developed since he was on the Board at that time.

Mr. Pierce commented on how the intention of this was for big items and not all these little things like pick-up trucks. He thinks we need to go back to looking at this for the big items. The small items should be put in the budget.

Mr. Nichols does not recall making withdrawals for items like pick-up trucks from the reserve account. Mr. Welch agreed that these items did come out of the budget. Mr. Nichols now sees smaller items like pick-up trucks in this CIP report. Mr. Nichols commented that we are at 9:30 and still have a full agenda. He questions if this is a list of everything done at an optimal level or is Mr. Noyes is looking for a commitment from the Board for this specific plan with the idea that unless something changes all these projects will result in warrant articles. Mr. Noyes stated that he has taken the year and consulted with his staff and has come up with this plan and this is not fluff. Mr. Nichols thinks this plan is too aggressive and he went through the analysis done by Mr. Schwotzer and the anticipated impacts on the tax rate from 2013 to 2018. They discussed some of the items in further detail including the I/I Study.

Chairman Griffin asked Mr. Welch what would be best for continuing this discussion. Mr. Moore would suggest doing a work-study on this next week. He also suggested asking Dyana to attend to discuss the items she has on the CIP. The Board agreed this would be a good idea and there will be no other appointments.

Mr. Bean stated that this type of product is not acceptable and needs to be improved, as there is too much information in it.

Mr. Pierce commented that if there is a revised document it needs to be dated so that the Board can tell which report is the most up-to-date information.

Mr. Nichols suggested moving the items listed under New Business for discussion under the appointment of Mr. Noyes.

## 2. Authorization of Withdraw Capital Funds – DPW

- a. \$115,975.00 Leach 20-yard Packer
- b. \$104,795.00 Trackless MT5 Sidewalk Tractor

Mr. Noyes stated there is money in the CIP for these items. Mr. Welch stated that the Board had approved these purchases previously and this is just the completing of the paperwork. Mr. Schwotzer stated that they are being asked to approve the withdrawal of monies that are in the Capital Reserve fund to pay for these items.

### Discussion

Mr. Nichols does not remember the Board approving this at a previous meeting. Mr. Noyes does not remember when they approved these items. Mr. Noyes does need approval of the packer tonight. They discussed the bids and this was the low bidder for the packer. They discussed the trade of older packers, and this amount takes into consideration the trades.

Mr. Pierce empathically stated he did not remember this being approve.

Mr. Moore would be much happier if he could recall when this was discussed previously. Mr. Nichols and Mr. Bean agree. Mr. Noyes stated that he was not here asking for approval but a memo was sent for approval.

Mr. Moore stated that it followed the purchasing policy. Mr. Bean pointed out that it followed all the bidding/purchasing policies.

Mr. Bean MOTIONED to AUTHORIZE the expenditure of the capital reserve funds for the Leach 20-yard Packer at \$115,975.00 and \$104,795.00 for the Trackless MT5 Sidewalk Tractor.” Mr. Pierce SECONDED.

Mr. Nichols wonders if this is the same brand sidewalk tractor as was bought a few years ago. Mr. Noyes confirmed this is not the same manufacturer.

Chairman Griffin asked about the life of this equipment and Mr. Noyes reiterated that he plans to use the oldest one as a backup.

VOTE: 3-1(Pierce)-1(Nichols)

4. Award of Bid 2012-020 Exeter Road Reclamation to “Pike Industries”

Mr. Moore MOTIONED to AUTHORIZE the Award of Bid 2012-020 Exeter Road Reclamation to “Pike Industries” in the amount of \$618,638. Mr. Pierce SECONDED.

Discussion

Mr. Pierce asked if the Town has a reputation with Pike and Mr. Noyes stated that they are a rebuttable company.

Mr. Nichols asked Mr. Noyes to share the change in the scope for this project which has gone from around \$300,000 to \$600,000. Mr. Noyes explained the whole process that they went through and the decision to do the whole road as opposed to just a portion of the road. He also discussed the fact that there are no underground utilities on this road. This is a better process and he laid it out for the Board. Mr. Noyes stated that this is doing the project right and not just doing the overlay, he reiterated that they are really trying to do things the best way that they can be done for the taxpayer. They had four bidders and the next bidder was about \$40,000 more.

Mr. Pierce shared an experience he had on Exeter Road and how this work really needs to be done. He has no problem doing it right but was shocked by the increased cost.

VOTE: 5-0-0

IV. Approval of Minutes

1. July 02, 2012

Page 12: 6<sup>th</sup> Paragraph, 7<sup>th</sup> line, change the word “roadway” to “Sidewalk”

Page 14: 5<sup>th</sup> paragraph, 1<sup>st</sup> line change “National” to Nashua Regional”

Page 15: 5<sup>th</sup> paragraph, 1<sup>st</sup> line change “in” to “is”

Mr. Nichols MOTIONED to APPROVE the minutes of July 02, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

V. Town Manager’s Report

1. An inquiry for a Loading Zone at 11 F Street. Consulting with the Safety Departments, recommendations were to use the existing Loading Zone or the live

parking only. Parking in a Fire Lane is prohibited except with those requirements. He has spoken with the Fire Chief and he is not in favor of this change. He also discussed the traffic patterns used by his department. They discussed shipments being delivered to the Casino.

#### Discussion

Mr. Nichols clarified the loading zone area and how trucks fill up the whole length and not just the 40 feet the sign states. He also brought up some confusion with a “no parking” sign and the confusion on the “loading zone” sign.

Mr. Pierce confirmed that the left side of the road is a fire lane. Mr. Welch clarified that the Grayhurst is looking for the expansion of the loading zone for guest use.

Mr. Nichols shared the experience he had when investigating this earlier today.

Chairman Griffin asked what Mr. Welch would like the Board to do.

Mr. Nichols confirmed that this would be an extension of the loading zone officially.

Mr. Welch reminded the Board that both Chiefs are against this. Chairman Griffin thinks that the Board should not vote in favor of this without the support of the Chiefs. It was agreed that the Board will not take action on this at the current time.

2. The Town Auction will be held on Saturday, July 21, 2012 at 9AM in the Public Works yard.
3. The proposed MOU was re-issued to DRED on Friday, July 13<sup>th</sup>. Signage directing folks to the State Park for camper and trailer parking is to be re-marked indicating that the entrance to the State Park is several hundred ahead there by eliminating the misdirection of folks down Epping Street.

#### Other Items added to report

The Coalition Communities headquartered in Portsmouth is requesting that the Town make another donation. The last donation by the Town was in 2011 for \$1,500.

They have received a formal letter from the Homeland Security & Emergency Management for the Hazard Mitigation Officer and they have been awarded the downtown storm drainage, which is Dearborn and High Street going towards Lafayette Road. We will have to submit quarterly reports.

He has the forms to be signed for the Teamster contract, which has already been approved by the Board.

We have received new guidelines from GASB in regards to reporting pension information.

They received today a letter of deficiencies from DES regarding the dam at the Gristmill. There are items that must be corrected and some items must be done immediately and there are other items that have to be done by certain deadlines in the future. It does require them replacing the whole dam.

#### Discussion

Mr. Pierce asked about the State crosswalks. Mr. Welch stated that they have been working on them and shared a problem with one area.

Mr. Nichols commented on the suggestions with the MOU with DRED. He commented on the shipping of the information back in forth and not meeting to discuss what the problems are. He sees three issues one is April 1<sup>st</sup> as opposed to May 1<sup>st</sup> for putting out trash barrels, DRED employee parking, and consistency on the ordinances between the island and Plaice Cove. He thinks they need to stick to the April 1<sup>st</sup> date for the trash barrels. In regards to employee parking the Church Street Leased lot always has extra spaces and we might want to reach a compromise on this. He would suggest that they go along with no dogs on Plaice Cove.

Chairman Griffin agrees with Mr. Nichols on allowing the spaces. If it can be used as a tool then Mr. Pierce is ok with that.

Mr. Bean stated that if the parking was given as an opportunity to a private enterprise then we could make money on these spaces. He is not in favor of giving things away to the State at no charge.

Mr. Nichols MOTIONED that the Town Manager get in touch with the States Park Director and meet face to face and resolve the few remaining issues that prevent them from reaching an agreement. Mr. Bean SECONDED.

VOTE: 5-0-0

Mr. Nichols brought up another issue with the State. He brought up the problem of potholes on State sidewalks and the reporting process of these issues. He thinks this needs to be solved in some way. The Board agreed to report the pothole in front of Chairman Griffin's property to see what is done about this problem. They also discussed how this pothole is a result of a drainage problem.

Mr. Nichols MOTIONED to approve the contribution of \$1,500 to the Coalition Communities. Mr. Moore SECONDED.

Discussion on motion

Mr. Pierce wonders what exactly they do for us. Mr. Nichols pointed out that they have fought the donor town fight for the Town's. Mr. Nichols stated that they receive reports from them on a regular basis.

VOTE: 4-1(Pierce)-0

## VI. Old Business

Mr. Nichols brought up the Selectmen's goals and the one correction they made at the last meeting. He thinks this should be formalized by Kristina and provided to the Board.

Mr. Bean has a few items. He brought up a very nice letter about code enforcement in Town. He liked the following: energy committee work at the Library, ITT committee members coming forward and building committee member's interest.

Mr. Pierce brought up the price of gas and cost from the State.

## VII. New Business

### 1. DRED

Communication that DRED is not subject to Town ordinances and permitting – Mr. Welch stated that in the past they have got permits for each event and it was suggested that they get one permit for the whole year. In return, from these suggestions the Town received a decision from the Attorney General that the State has sovereignty over their own land and the Town has no control over what takes place on the State property at the beach. If they need a building permit or any other type of permit, they would not have to go through the Town. It has been given to the Atty. to be reviewed. This could be bad or just a difference of opinions.

2. Authorization of Withdraw Capital Funds – DPW
  - a. \$115,975.00 Leach 20-yard Packer
  - b. \$104,795.00 Trackless MT5 Sidewalk Tractor
4. Award of Bid 2012-020 Exeter Road Reclamation to “Pike Industries”
3. Fire Department Ambulance RFP Award to “OEV”

Mr. Nichols MOTIONED to AUTHORIZE the Fire Department Ambulance RFP Award to “OEV” in the amount of \$176,780. Mr. Pierce SECONDED.

VOTE: 5-0-0

#### VIII. Consent Agenda

1. Request Use of Ashworth Avenue Parking Lot “Reach the Beach” on 09-15-2012
2. Entertainment License “Ashworth Hotel” 295 Ocean Blvd
3. Entertainment License “Ocean Gaming” 81 Ocean Blvd
4. One Day Entertainment License “Sand Dollar Village” Wedding 07/11/12
5. Hampton Cemetery Deed – Duane Windemiller
6. Hampton Cemetery Deed – Patricia L. Richardson
7. Hampton Cemetery Deed – Denise E. Marion Yeaton
8. Solicitation Permit “Boot Drive” Professional Firefighters of Hampton 07/22/12
9. Raffle Permit “Friends of Lane Memorial Library”
10. License Coin Operated Amusement Devices “Seacoast United Soccer Club”
11. License Coin Operated Amusement Devices “Best Western Inn at Hampton”
12. License Coin Operated Amusement Devices “O’Leary’s Grill”
13. Parade and Public Gathering License “Smuttynose Rockfest Marathon” 09/30/2012

Mr. Pierce MOTIONED to MOVE the Consent Agenda. Mr. Moore SECONDED.

VOTE: 5-0-0

#### IX. Selectmen’s Closing Comments – None

#### X. Adjournment

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

VOTE: 5-0-0

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Chairman