

**TOWN OF HAMPTON
ANNUAL TOWN MEETING
FEBRUARY 5, 2005
RESULTS OF BALLOTING
MARCH 8, 2005**

Moderator Robert Casassa opened the First Session of the Hampton Town Meeting at 8:35 AM, February 5, 2005 in the Winnacunnet Community Auditorium. He introduced himself as moderator and presented Capt. Deidre Perrin, who would lead the assembly in the Pledge of Allegiance. Following the invocation delivered by The Rev. John Adams, the Moderator introduced Assistant Moderators, Ben Moore, Mary Lou Heran, Dennis Kilroy, Nathan Page and Larry Poliquin; the Supervisors of the Checklist, Marilyn Henderson, Pauline Dwyer-Boyle, and Davina Larivee, assisting them are ballot clerks, Dona Janetos and Martha Williams, and Manager of Resources, Rudy Lavallee. Town officials present and introduced were Board of Selectmen Chairman, William Sullivan; members Virginia Bridle, James Workman, Clifton Pratt, and Richard Griffin; Administrative Assistant, Karen Anderson; Financial Director, Dawna Duhamel; Town Attorney, Mark Gearreald; Chairman of the Municipal Budget Committee, Edward Buck and Town Clerk Arleen Andreozzi.

Moderator Casassa acknowledged the posting of the warrant and defined the rules by which he would conduct the meeting.

William Sullivan moved to waive reading of the ballot in its entirety. Seconded by Richard Griffin. So Voted.

Selectman Sullivan also moved to allow non-resident officials answer any questions. Seconded by Nathan Page. So Voted.

(Article One was not discussed at the Deliberative Session but is included here for the sake of consistency as it was voted with all the articles on March 8, 2005.)

SELECTMEN

Virginia Bridle	2306*
Bennett "Ben" Moore	2622*
William H. Sullivan	1277

TREASURER

Ellen Lavin	2931*
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SUPERVISORS OF THE CHECKLIST

Davina Larivee	2805*
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TRUSTEE of the TRUST FUNDS

Glyn P. Eastman	1995*
Warren J. Mackensen	1136

LIBRARY TRUSTEE

Mary Lou Heran	2413*
Bridgit Valgenti	2223*

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CEMETERY TRUSTEE

Matthew Shaw 2807*

PLANNING BOARD

Thomas J. "Tom" Gillick 2390*
Janet Reynolds 1516
Robert Viviano 1977*

MUNICIPAL BUDGET COMMITTEE

Russell "Russ" Bernstein 2188*
Richard Hanson 2105*
John J. Lessard 2133*
Richard E. Nichols 2028*

ZONING BOARD OF ADJUSTMENT

Russell "Russ" Bernstein 692
Steven Jusseaume 448
Thomas McGuirk 1342*
William "Bill" OBrien 530
Richard E. Reniere 483
Dean Savastano 350
Deborah A. Simon 949
Jennifer Truesdale 957*

CHARTER COMMISSION

Armando S. Andreozzi 739
Russell Bridle 1100*
Betty Ann Callanan 751
John Callanan 599
Stephen Ells 1110*
Tracy Emerick 1249*
Robert "Bob" Frese 534
Maurice Friedman 832
Tracy Kelly 721
Gerald "Jerry" McConnell 810
Arthur J. Moody 1328*
John B. Nyhan 499
Michael Pierce 820
Charles "Charlie" Preston 1574*
James "Jim" Reams 828
Richard E. Reniere 470
Frederick C. Rice 905*
John Sangenario 271
Bonnie B. Searle 1479*
Matthew Shaw 899
Brian Warburton 1026*
Elizabeth J. Webb 590
Mary-Louise Woolsey 1652*

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The Moderator stated he would like to begin with the Planning Board Articles but, told the assembly that they could not be amended today and would be explained only.

ARTICLE 2

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board to amend the Zoning Ordinance, Section 1.2 as follows?

Section 1.2 Reconstruction of Non-Conforming Uses

In the event of the damage or destruction by fire, storm, ~~or~~ Act of God, or the intentional demolition and/or removal of any building not conforming to the regulations of this Ordinance, said building may be rebuilt for its former non-conforming use provided such construction is started within ~~a~~ one year of its damage, demolition, or destruction and is completed within two years; the structure shall, however, conform to the dimensional requirements of the Ordinance and to the Building Ordinances and Regulations of the Town of Hampton as amended.

Moved by William Sullivan
Seconded by James Workman

John Harwood, Hampton Town Planner, explained the article saying they added “demolition” to a section of the article because it is felt that considerable damage to a building might require addition demolition before repair.

Mr. Moody feels that it allows continuation of non- conforming use and will allow a building to be enlarged without conforming to zoning regulations

James Workman made a motion to end discussion on the article. Mr. Pratt seconded the motion. The motion passed and the Moderator continued with the next article.

Results of balloting on March 8, 2005

Yes 1463

No 1917*

Article 2 Failed

ARTICLE 3

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board to amend the Zoning Ordinance, Section 2.3 Wetlands Conservation District (as listed below) to conform with changes in State Law, RSA 482-A:2 and 674:55?

Section 2.3 Wetlands Conservation District

2.3.1 PURPOSE. “In the interest of protecting the public health, safety and welfare the Wetlands Conservation District has been established to protect, preserve and prevent the despoliation and unregulated alterations of 1) wetlands, 2) areas of very poorly drained soils and poorly drained soils and 3) their buffers. It is in the public interest to protect the valuable functions these areas provide such as habitat for fish, wildlife and flora, ground water protection, storm water and flood control, nutrient and pollutant filtering, recreation and aesthetic enjoyment. (Amended March, 1998)

The Wetlands Conservation District is intended to:

A. Prevent the destruction of natural wetlands and areas of very poorly drained soils and poorly drained soils, all of which provide flood protection, ~~are~~ connected to the ground or surface waster supply, ~~provide~~ filtration of water flowing into ponds and streams, and augmentation of stream flow during dry periods;

TOWN OF HAMPTON

B. Prevent the development of structures and land uses on wetlands, areas of very poorly drained soils and poorly drained soils, and/or their buffers, which would contribute to pollution of surface and ground water by sewage or other wastes or toxic materials;

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

F. Preserve and enhance the aesthetic values associated with wetlands and areas of very poorly drained soils and poorly drained soils in Hampton;

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

2.3.2 DEFINITIONS AND DELINEATIONS.

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

A. Tidal Wetlands are defined and delineated as:

1. Prime tidal wetlands ~~is~~are defined in Appendixes 1 & 2, ~~and~~ A more detailed or updated study accepted by the Hampton Planning Board upon recommendation of the Conservation Commission shall supersede ~~the Richardson study Appendixes 1 & 2~~ where it is shown to be incomplete or inaccurate. (Amended March, 1998)
2. Deleted. (Amended March, 1998)

B. Inland Wetlands ~~are those lands submerged under fresh water, including any marsh, swamp, bog or meadow subject to permanent or periodic flooding, including the surrounding shore and any abutting soil designated as poorly drained or very poorly drained and as defined and delineated in Appendix 3. (Amended March, 1998)~~ means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

C. Areas of very poorly drained soils and poorly drained soils

1. Very poorly drained soils are those soils in which water is removed from the soil so slowly that the water table remains at or on the ground surface most of the year.
2. Poorly drained soils are those soils in which water is removed so slowly that the soil remains wet for a large part of the year. A poorly drained soil has a water table near the ground surface that keeps the soil wet for seven to nine months of the year.

CD. The Wetland Conservation District includes Tidal Wetlands, Inland Wetlands, Areas of very poorly drained soils and poorly drained soils, and their Buffers. The precise location of the wetland boundary in any particular case must be determined by on-site inspection of soil types and vegetation. (Amended March, 1998)

DE. Any more detailed or updated study accepted by the Hampton Planning Board upon recommendation of the Conservation Commission shall supersede the Soils Conservation Service study where it is shown to be incomplete or inaccurate. (Amended March, 1998)

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

2.3.4 BUFFER PROVISIONS

Definition

For the purpose of this Ordinance, the following term shall have the meaning given herein:

“BUFFER”, is the area extending fifty feet (50 ft.) out from 1) the wetland boundary line, and/or 2) the boundary line of areas of very poorly drained soils and poorly drained soils; The buffer is intended to provide a natural vegetative zone between the wetland and property drained non-wetlands for water filtration, storm water retention, flood protection and wildlife habitat.

(Amended March, 1998)

A. No septic system, leach field or other on-site waste disposal facility shall be installed within 75' (seventy-five) feet of the edge of any wetland, or any area of very poorly drained soils and poorly drained soils ~~defined~~. ... <SECTIONS NOT SHOWN WILL NOT BE AMENDED>

TOWN OF HAMPTON

B. No structure, impermeable surface, parking space or building activity including dredging, filling ~~and~~ or regrading shall be permitted within fifty feet (50') of any wetland, or any area of very poorly drained soils and poorly drained soils, except as provided in Subsections C & D of this Section. Any construction, forestry and agriculture activities within one hundred feet (100 ft.) of any wetland, or any area of very poorly drained soils and poorly drained soils shall be undertaken with special care to avoid erosion and siltation into the wetlands, or areas of very poorly drained soils and poorly drained soils. The Building Department or the Planning Board, pursuant to its Site Plan Review and/or Subdivision authority, Section 1.5 of the Town of Hampton Zoning Ordinance, may require an erosion control plan using Best Management Practices (see Appendix Number 4). (Amended March, 1998)

D. Where a variance is granted for building on a pre-existing lot of record, the setback may be in line with the setback of existing buildings within 100' (one hundred feet) on either side. Where adjacent buildings are set back varying distances, but closer than 50' (fifty feet) from the wetland boundary, or boundary of areas of very poorly drained soils and poorly drained soils, the greater setback shall be observed. (Amended March, 1998)

Moved by James Workman
Seconded by Edward Buck

Mr. Harwood explained this article will put us in conformance with current state regulations.

Results of balloting on March 8, 2005

Yes 2358*

No 991

Article 3 Passed

ARTICLE 4

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board to amend the Zoning Ordinance, Section 2.3.7 by inserting the following new Section C-a after existing Section C?

2.3.7 SPECIAL PROVISIONS

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

C-a. Wetlands and areas of very poorly drained soils and poorly drained soils, excluding bodies of water, may be used to satisfy minimum lot area, and minimum lot area per dwelling unit, and set-back requirements for existing lots of record provided that:

- 1.** A minimum of 75% of the minimum lot area required in the underlying zoning district or 30,000 square feet (whichever is less) shall be outside of the wetlands and areas of very poorly drained soils and poorly drained soils;
- 2.** For lots that will contain more than one dwelling unit, a minimum of 75% of the minimum lot area per dwelling unit required in the underlying zoning district or 30,000 square feet per dwelling unit (whichever is less) shall be outside of the wetlands and areas of very poorly drained soils and poorly drained soils;
- 3.** The remaining lot area contains at least 5,000 contiguous square feet of buildable land outside of the Wetland Conservation District for a municipally sewered lot and 30,000 contiguous square feet of buildable land outside of the Wetland Conservation District where on-site sewage disposal is required, provided that the septic system location and design are approved by the NH Department of Environmental Services,

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Water Supply and Pollution Control Division or successor State agency. (Amended March, 1998, 2003)

Moved by Clifton Pratt
Seconded by William Sullivan

Mr. Harwood explained this was part of the zoning ordinance until 2003 when it was realized that the ordinance only applied to existing lots. A change had resulted in exempting existing lots and this is an attempt to correct that error.

Results of balloting on March 8, 2005

Yes 2063*

No 1319

Article 4 Passed

ARTICLE 5

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board to amend the Zoning Ordinance, portions of Section 2.4 Special Flood Area and Section 11.6 Floodplain Development Regulations (as listed below) to adopt new Flood Insurance Rate Maps, which have been prepared by the Federal Emergency Management Agency (FEMA)? Adoption of these maps is required by FEMA and failure to pass this amendment will subject the Town to suspension from the National Flood Insurance Program.

Section 2.4 Special Flood Area

~~Special Flood Area as delineated on the Flood Insurance Rate maps of the Town of Hampton dated July 3, 1986, as prepared by the Federal Emergency Management Agency—Federal Insurance Administration. *(Adopted 1987)~~ The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its “Flood Insurance Study for the County of Rockingham, NH” dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

Area of special flood hazard means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. The area is designated as zone A on the Flood Hazard Boundary Map (FHBM) and is designated on the FIRM as zones: ~~A, B, AO, A2, V2, and V3~~ A, AE, AH, AO, AR, A99, V, and VE.

Special Flood Hazard Area means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone ~~A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E~~ A.

AE, AH, AO, AR, A99, V, and VE. (See - “Area of Special Flood Hazard”)

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

Section 11.6 Floodplain Development Regulations

~~The following regulations shall apply to all lands designated as flood hazard areas by the Federal Emergency Management Agency in its “Flood Insurance Study for the Town of Hampton, NH, dated July 3, 1986, which are declared to be part of this Ordinance. *(Adopted 1987)~~ The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its “Flood Insurance Study for the County of Rockingham, NH” dated May 17, 2005 or as amended, together with the associated Flood Insurance Rate Maps dated May 17, 2005 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

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In Section 11.6 Floodplain Development Regulations, replace all references to “Zones ‘A1 through A30’” with “Zone AE” and references to “Zones V1-30” or “Zones V1-V30” with “Zone VE”.

Mr. Harwood explained this will amend the ordinance to have language matching FEMA maps.

Results of balloting on March 8, 2005

Yes 2371*

No 860

Article 5 Passed

ARTICLE 6

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board to amend the Town’s Impact Fee Ordinance (as listed below) to conform with changes in State Law, RSA 674:21?

<SECTIONS NOT SHOWN WILL NOT BE AMENDED>

- 4.5** ~~Impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development; however, nothing shall prevent the municipality and the assessed party from establishing an alternate, mutually agreeable, schedule of payment. All impact fees imposed pursuant to this section shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. When no Planning Board approval is required, or has been made prior to the adoption or amendment of this Ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development.~~
- 5.2** ~~**Assessment:** All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development, as determined by the Planning Board. All impact fees imposed pursuant to this section shall be assessed at the time of Planning Board approval of a subdivision plat or site plan. When no Planning Board approval is required, or has been made prior to the adoption or amendment of this Ordinance, impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development.~~
- 5.4** ~~**Collection:** Impact fees shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development; however, nothing shall prevent the municipality and the assessed party from establishing an alternate, mutually agreeable, schedule of payment. Impact fees shall be collected at the time a certificate of occupancy is issued. If no certificate of occupancy is required, impact fees shall be collected when the development is ready for its intended use. Nothing in this subparagraph shall prevent the municipality and the assessed party from establishing an alternate, mutually acceptable schedule of payment of impact fees.~~

Explained that this is to make our impact fee regulations conform to state regulations.

Results of balloting on March 8, 2005

Yes 2249*

No 847

Article 6 Passed

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ARTICLE 7

Shall the Town of Hampton vote to authorize the Selectmen to enter into a long-term lease/purchase agreement in the amount of \$845,000 payable over a term of sixty months at a rate of \$17,182 per month to purchase a fire ladder truck for the fire department and to raise and appropriate \$206,184 for the first year's payment for this purpose? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. (60% vote required)

Recommended by the Board of Selectmen

Recommended by the Budget Committee

Moved by Mr. Workman

Seconded by Mr. Sullivan

Fire Chief Lipe and Deputy Chief Benotti explained the article stating the current fire ladder truck is 24 years and has been extensively repaired.

Thomas Gillick spoke on the article saying that he has served on the Capital Improvement Committee and they recommended funding this article in 2006 not 2005.

He offered to amend the article by striking out from the words "payable over a term of sixty months" through "raise and appropriate \$206,184 for the first year's payment for this purpose" and insert the following:
"payable over a term of forty eight months at a rate of \$17,605 per month to purchase a fire ladder truck for the fire department and to raise and appropriate zero dollars in the year 2005 for this purpose"

Seconded by Frederick Rice

When asked if the terms would still be available if the amendment passed Chief Lipe said there would be no impact. Discussion took place and Mr. Richard Nichols questioned the figures given as the total was not as stated in the article. It was agreed that an adjustment needed to be made to include interest. The Moderator asked whether Mr. Gillick would like to amend his motion.

Mr. Gillick agreed to amend the motion to increase the payments to \$19,057. per month bringing the total amount to \$914,736. The second agreed also.
The Gillick amendment passed

Mr. Workman rose to further amend the article by adding after \$19057 "in fiscal year 2005 and also insert payment will begin in 2006.

Seconded by Mr. Buck

The Workman amendment passed.

Article 7 now reads;

Shall the Town of Hampton vote to authorize the Selectmen to enter into a long term lease/purchase agreement in the amount of \$914,736 payable over a term of 48 months at a rate of \$19057 per month to purchase a fire ladder truck for the fire department and to raise and appropriate 0 for the first years payment for this purpose in fiscal year 2005? Payments shall commence January 2006. Such authorization shall include all engineering design, procurement,

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construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. (60%)

Results of balloting on March 8, 2005

Yes 1113

No 2375*

Article 7 Failed with 32% of the vote

The Moderator announced that longtime resident Carl Bragg passed away and called for a moment of silence in his memory.

ARTICLE 8

Shall the Town of Hampton raise and appropriate as an operating budget, not including appropriations by special or individual warrant articles and other appropriations voted separately, the amounts set forth in the budget posted with the warrant, for the purposes set forth therein, totaling \$26,392,546? Should this article be defeated, the operating budget shall be \$23,552,795 which is the same as last year, with certain adjustments required by previous action of the Town Meeting or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

NOTE: This Warrant Article (Operating Budget) does not include appropriations in ANY other warrant article. Majority vote required. Recommended by the Board of Selectmen
Recommended by the Budget Committee

Moved by Mr. Buck

Seconded by Mrs. Bridle

Mr. Buck, Chairman of the Budget Committee, explained the process by which the committee reached the budget put forth in Article 8.

Mrs. Woolsey, Budget Committee Member, explained her opposition to the budget because it has increased considerably over the past five years. Other remarks both positive and negative were offered.

Arthur Moody made a motion to subtract \$50,000 from account 4191.3.330 the Town Planner's budget reducing the bottom line to \$26,342,546.

Seconded by Mr. Scanlon

The Moody amendment failed

There was no other discussion on the budget and the Moderator asked whether the assembly is ready to vote to put the article on the ballot as written. So voted.

Mr. Buck moved to Restrict Reconsideration on articles 7 and 8.

Seconded by Mr. Pratt.

So Voted

Results of balloting on March 8, 2005

Yes 1134

No 2535*

Article 8 Failed

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At 12:05PM the Moderator announced we would break for lunch.
The meeting reconvened at 12:57PM.

ARTICLE 9

Shall the Town of Hampton vote to raise and appropriate \$350,000 to be added to the Road Improvement Capital Reserve Fund established by Article 16 of the 1998 Town Meeting pursuant to the provisions of RSA 35:1? Majority vote required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Pratt.
Seconded by Mr. Griffin.

Mr. Pratt spoke to the article saying this is the Capital Reserve fund for our roads.

Mr. Moody said this article puts in \$350,000 and a future article takes it out. He feels this is unnecessary.

No further discussion and the article will be on the ballot as written.

Results of balloting on March 8, 2005

Yes 1142

No 2464*

Article 9 Failed

ARTICLE 10

Shall the Town of Hampton vote to raise and appropriate \$210,000 for the purpose of constructing a salt shed at the public works yard? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, (together with all appurtenances necessary or desirable) to complete the project.
Majority Vote Required, Recommended by the Board of Selectmen, Recommended by the Budget Committee

Moved by Mr. Workman
Seconded by Mr. Sullivan

Mr. Workman said new regulations require salt to be stored in such a way it doesn't get in the marshes

Mr. Hangen added, other towns store their salt in closed buildings and Hampton doesn't have the place in public works.

Bonnie Searle made a motion to delete after "costs" the wording "together with all appurtenances necessary or desirable."
Seconded by Michael Pierce

The Moderator explained the language was to make sure that the department could make any adjustments that it might occur during the building.
The Searle amendment failed

David Goethel spoke on the main article citing the environmental issues. No other discussion ensued and the article will be on the ballot as written.

TOWN OF HAMPTON

Results of balloting on March 8, 2005

Yes 1001

No 2608*

Article 10 Failed

ARTICLE 11

On petition of Peter Olney, 39 Esker Road, Hampton, NH 03842 and twenty-five registered voters: Shall the Town of Hampton raise \$150,400 and appropriate \$752,000 to fund the 20% local share of, and to accept an 80% share from a CMAQ grant for all costs of procurement, engineering, design, and construction work associated with a bike path project along High Street eastward from Lafayette Road, southward on Towle Avenue and eastward on Winnacunnet Road to Ocean Boulevard. (By petition) Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Peter Olney

Seconded by Mr. Workman

Speaking on the article was Peter Olney a member of the Rockingham Planning Committee. The grant was pursued by neighboring towns and is a regional bikeway. The other towns have provided their portion of the plan and only Hampton still needs to fund it. He cautioned about not fulfilling our commitment to the other towns.

The meeting approved non-resident, Scott Fogell, Transportation Planner to address the assembly. He stated this project is to connect the towns Exeter, North Hampton and Hampton to each other and all to the beach. It follows Route 27 into Hampton to High Street to Towle Avenue and down Winnacunnet to the beach. It would provide increased safety not only for bikers but also for walkers.

After much discussion William Sullivan made a motion to end debate. Seconded by Nathan Page.

The meeting agreed unanimously to end discussion.

Results of balloting on March 8, 2005

Yes 945

No 2686*

Article 11 Failed

ARTICLE 12

Ellen D. Goethel, and 25 or more registered voters in the Town of Hampton request that the town vote to raise and appropriate the sum of \$150,000 to add to the Conservation Commission's Conservation Land Fund for the purchase, appropriation, maintenance and protection of conservation land and open space within the Town of Hampton. (By petition) Majority Vote Required. Not Recommended by the Board of Selectmen. Not Recommended by the Budget Committee.

Moved by Ellen Goethel

Seconded by Elizabeth Webb

Mrs. Goethel spoke of the need of open spaces, but because of other necessary funding moved to amend the article to reduce the amount from \$150,000 to \$1.00.

TOWN OF HAMPTON

The amendment passed.

Results of balloting on March 8, 2005

Yes 2455*

No 1132

Article 12 Passed.

ARTICLE 13

Shall the Town of Hampton vote to raise and appropriate \$150,000 for the purpose of constructing, replacing, and/or upgrading sewer mains throughout town as determined by the Public Works Director to be the highest priorities for such work? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Workman

Seconded by Mr. Pratt

Mr. Pratt spoke to the article and said the amount had been reduced.

Mary Boynton asked what road is the highest priority for work. Mr. Hangen said about 75 per cent of the streets are currently sewered. But, these pipes were put in during the 1920's and are now old and in need of upgrading. He noted that Gill Street, Nudd Ave, Elaine Street., Belmont Circle, Fairfield Drive, Tobey Street., Gray Street and Leavitt Road are in need of repair and the funding will be used where most needed.

After some discussion the article was sent to the ballot as printed.

Results of balloting on March 8, 2005

Yes 1572

No 2047*

Article 13 Failed

ARTICLE 14

Shall the Town of Hampton vote to raise and appropriate the sum of \$125,000 to rebuild the tennis courts and basketball courts at Tuck Field. This would include costs of procurement, design, drainage, resurfacing, removal and resetting of fence and net post footings, basketball stanchions and painting of the surface and surrounding finishing work. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Pratt

Seconded by Mr. Griffin

Clifton Pratt spoke on the article saying this has been before us before and it is time to fund it.

Dyanna Martin, Recreation and Parks Director, said the courts are about 36 years and she has had them resurfaced before, but, it is time to resurface them from the bottom up.

There was no further discussion and the article will be on the ballot as written.

Results of balloting on March 8, 2005

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Yes 1304
No 2336*
Article 14 Failed

ARTICLE 15

Shall the Town of Hampton vote to raise and appropriate \$88,000 for the purpose of constructing a vehicle wash-down facility at the public works yard? Such authorization shall include all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee

Moved by Mr. Workman
Seconded by Mr. Sullivan

Mr. Workman spoke to the article saying we have been told by the EPA that we need to provide an indoor facility to wash vehicles.

There was little discussion and the article will go on the ballot as written

Results of balloting on March 8, 2005
Yes 1755
No 1862*
Article 15 Failed

ARTICLE 16

On petition of at least 25 voters of the Town of Hampton, shall the Town vote to raise and appropriate \$80,000 for engineering and related professional services to design and prepare design documents and cost estimates for the connection and extension of sewer along Towle Farm Road and providing sewer service to the structures on Towle Farm Road and on streets and roads that intersect with Towle Farm Road, in conformance with the 201 Facilities Plan? (By petition) Majority Vote Required. Recommended by the Board of Selectmen. Not Recommended by the Budget Committee

Moved by Mrs. Boynton
Seconded by Mrs. Bridle

Mrs. Boynton spoke to the article saying this area needs services and all residents pay taxes and should get services.

Mr. Bowley said there is additional building in the area and residents have well water.

Nathan Page of Drakeside Rd said this was Article 16 in 1990 and he said he would continue to work for all the area to be sewerred.

Mrs. Bridle said this was talked about since 1981 and still there were no sewers.

There was no other discussion and the article will go on the ballot as written.

Results of balloting on March 8, 2005
Yes 837
No 2704*

TOWN OF HAMPTON

Article 16 Failed

Assistant Moderator, Bennett Moore substituted for Moderator, Robert Casassa, on this article.

ARTICLE 17

Shall the Town of Hampton vote to raise and appropriate \$75,000 to make repairs to the Lane Memorial Library? Such authorization shall include all design, architectural, engineering, demolition, removal, procurement, construction, landscaping, shipping, delivery, and training costs, together with all appurtenances necessary or desirable to complete the project. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee

Moved by Mr. Griffin
Seconded by Mr. Sullivan

Dona Janetos offered an to amend the article to reduce the amount by \$45000 down to \$30,000
Seconded by Arthur Moody

Catherine Redden, Librarian, agrees saying the front foundation needs repairs and estimates doing those repairs and adding handicap buttons.

The Janetos amendment passed

Article 17 will be on the ballot as amended.

Results of balloting on March 8, 2005

Yes 1814*

No 1782

Article 17 Passed

ARTICLE 18

Shall the Town of Hampton vote to raise and appropriate the sum of \$45,000 for the purposes of preparing conceptual design plans that would include at a minimum preparing a feasibility study, a study of space and site needs, and the development of floor plans and elevations for a community center for the Town of Hampton? Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Pratt
Seconded by Mr. Workman

Mr. Pratt said he has been told that it is down to two locations.

Mr. Workman added that the efforts of the committee shows there is a need for a center.

Mr. Nyhan realizes this is a study and could lead to additional money down the road. It is time for the senior to have a center.

Brian Leno, spoke of the establishment of the committee, and the establishment of sub committee. The committee came up with 13 sites, and evaluated each one. This article will get some professional help to further evaluate the sites. The other committee surveyed the town to

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determine what type of center was needed. The survey was 70 for a community center with a separate area for the seniors. Grant money is being sought for the project.

Speaking in favor of the article were; Dyanna Martin, David Lang, Brian Warburton, Elizabeth Webb, Bucky Frost, Maurice Friedman, Alphonse Webb, and Frederick Rice. Speaking against the article, Patrick Collins, Budget Committee Member, because he fears a default budget would cause a layoff and would rather see the money go to the fire and police departments

James Workman moved to end discussion and James Barrington seconded the motion. So Voted
The question will be on the ballot as written

Results of balloting on March 8, 2005

Yes 1196

No 2376*

Article 18 Failed

A motion was made and seconded to restrict reconsideration on articles nine through eighteen. All approved.

ARTICLE 19

On petition of Matt Shaw, Richard Bateman, David Lang and at least twenty-four other legal voters of the Town of Hampton, to see if the Town will vote to raise and appropriate the sum of \$20,000 for the addition of needed grave space at the High Street Cemetery. (By petition) Majority Vote Required, Recommended by the Board of Selectmen, Recommended by the Budget Committee

Moved by David Lang
Seconded by Richard Batemen

Mr. Lang said this is an article would allow us to expand the cemeteries.

Mr. Moody questioned why it isn't being taken out of the Cemetery Trust Fund.

No other discussion and article 19 will be on the ballot as written.

Results of balloting on March 8, 2005

Yes 1604

No 1953

Article 19 Failed

ARTICLE 20

On petition of Ginni McNamara, 4 Randall Street, Hampton, New Hampshire and at least twenty-five or more registered voters of the Town of Hampton: To see if the Town will vote to support the Children's Christmas Parade presented by the Hampton Area Chamber of Commerce and related activities and raise and appropriate the sum of \$3,500 to help defray the expense of the 2005 event. Said funds to be paid to the Hampton Area Chamber of Commerce. This article will become void if petition is passed and sum is included in the 2005 operating budget. (By petition) Majority Vote Required, Recommended by the Board of Selectmen, Recommended by the Budget Committee

Moved by James Workman

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Seconded by Edward Buck

No discussion on the article and it was sent to the ballot as written

Results of balloting on March 8, 2005

Yes 2443*

No 1117

Article 20 Passed

ARTICLE 21

We, the undersigned, registered voters living in the Town of Hampton, request that the Board of Selectmen grant the request of Families First Health and Support Center for \$2,000 to be used to bring parenting classes to the Hampton region. (By petition)

Majority Vote Required, Not Recommended by the Board of Selectmen, Not Recommended by the Budget Committee

Moved by Elizabeth Webb

Seconded by Michael Pierce

No discussion to ballot as printed

Results of balloting on March 8, 2005

Yes 1203

No 2345*

Article 21 Failed

ARTICLE 22

Shall the Town of Hampton appropriate only the sum of \$650,000 from the Hampton Emergency Medical Services Fund, a Special Revenue Fund created by Article 15 of the 2000 Town Meeting and funded with revenues generated from ambulance and emergency medical service calls, to provide, improve, and/or enhance ambulance and emergency medical services. Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the emergency medical services could not be funded. Majority Vote Required, Recommended by the Board of Selectmen, Recommended by the Budget Committee

Moved by Clifton Pratt

Seconded by William Sullivan

Fire Chief Henry Lipe said there are 1800 calls a year to provide ambulance transport and cardiac care. He showed a power point presentation to further explain the duties, and services.

Deputy Fire Chief Chris Silver explained this fund was created to cover all the EMS expenses of the town. It pays for ambulance fuel, EMS callback wages, partial salaries, expendable supplies EMS training and certificates, and EMS support vehicles, and replacement medical equipment.

Chief Lipe explained the new state laws do not allow any funds to be expended on this service if this article is voted down.

Mr. Sullivan reiterated the change in the regulations and a defeat of this article would mean no emergency service.

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Judith Beaulieu now supports this article. She didn't realize how the funds operated before.

Several other residents spoke on the operation of the funds and when there was no further debate the Moderator said Article 22 would be on the ballot as written.

Results of balloting on March 8, 2005

Yes 2920*

No 707

Article 22 Passed

ARTICLE 23

Shall the Town of Hampton appropriate only the sum of \$350,000 from the Hampton Recreation Fund, a Special Revenue Fund created by Article 19 of the 2000 Town Meeting and funded with revenues generated from recreation department programs and activities, to fund programs and activities through the Recreation and Parks Department? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Recreation and Parks Department could not be funded., Majority Vote Required, Recommended by the Board of Selectmen, Recommended by the Budget Committee.

Moved by Mr. Workman

Seconded by Mr. Pratt

Recreation and Parks Director, Dyanna Martin gave an update on how the fund operates. Last year the department serviced over 8000 people and offers over 100 programs with no increase in staff. Parks, and parking lots are covered in article 8 this article funds all the programs offered by the department.

Mona Otis spoke on the fund and said she relies heavily on the recreation department for their services.

No further discussion

Results of balloting on March 8, 2005

Yes 2022*

No 1571

Article 23 Passed

ARTICLE 24

Shall the Town of Hampton appropriate only a sum not to exceed \$350,000 to make improvements on Brown Avenue, Carlson Road, Cranberry Lane, Huckleberry Lane, Hurd Road, Langdale Drive, Merrill Industrial Drive, Moulton Road, Oakdale Avenue, Presidential Circle, Sweetbriar Lane, Timber Swamp Road, Trafford Road, Windmill Lane, Drakeside Road, and Kings Highway to include street repairs, reconstruction and associated materials and labor necessary to do the work, and also to include associated drainage system maintenance, upgrades and improvements, and to authorize withdrawal of up to \$350,000 from the Road Improvement Capital Reserve Fund created for that purpose? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that these road improvements could not be funded. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Griffin

TOWN OF HAMPTON

Seconded by Mr. Sullivan

Mr. Workman spoke to the article. There was no further discussion, and the Moderator declared article 24 will be on the ballot as written.

Results of balloting on March 8, 2005

Yes 2277*

No 1289

Article 24 Passed

ARTICLE 25

Shall the Town of Hampton appropriate only the sum of \$350,000 from revenues generated for the Hampton Private Detail Fund, a Special Revenue Fund created by Article 17 of the 2000 Town Meeting and funded with revenues generated from Police and Fire department private details, to fund Police and Fire Department private details? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Police and Fire Department private details could not be funded. . Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by William Sullivan
Seconded by Virginia Bridle

This article was defeated last year it is 99% police private details Last year the town provided funding for the details and the money went into the fund but nothing could come out.

Police Chief William Wrenn spoke on the article and said that private details are those requests from construction companies, clubs and private functions for an officer. This is paid for by the private party requesting them. Previously, when this item was in the budget, it was estimated what requests would come in and when the payment came in the funds came into the general fund. This often resulted in a over expended budget when more requests came in that were estimated.

Mr. Moody said these articles go against the municipal budget act that was voted for.

Mrs. Searle questioned the moderator asking the balance in this revenue fund. \$118,614 was answered by the manager. She asked what will happen if additional money goes into the fund. And she said the money can be used by any aspect of the purpose of the fund. This would be decided by the selectmen, Chief Wrenn and the Manager.

Mrs. Bridle spoke to clear up any misunderstanding stating this article asks for \$350,000 no more can be expended without Town Meeting vote.

Chief Wrenn spoke to the legality of the funds and they are used in many other locations in the state.

After everyone had spoken the Moderator said this article would go on the budget as written.

Results of balloting on March 8, 2005

Yes 1646

No 2016*

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Article 25 Failed

It was moved and seconded to restrict reconsideration on Articles 19 through 25. The motion passed and articles 19 through 25 will be restricted to further discussion today.

ARTICLE 26

Shall the Town of Hampton appropriate only the sum of \$200,000 from revenues generated from the Fire Alarm Fund, a Special Revenue Fund created by Article 53 of the 2003 Town Meeting to operate, upgrade and maintain the Fire Alarm System in the Town of Hampton? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Fire Alarm System could not be funded. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Pratt

Seconded by Mr. Workman

Chief Lipe said the special revenue fund is self supporting. The municipal alarm allows for a quick response when these alarms are sounded. When these private alarms are installed the user pays for the service.

No further discussion and the article will go to the ballot as written.

Results of balloting on March 8, 2005

Yes 1852*

No 1786

Article 26 Passed

ARTICLE 27

Shall the Town of Hampton appropriate only the sum of \$200,000 from revenues generated from the Police Forfeiture Fund, a Special Revenue Fund created by Article 55 of the 2003 Town Meeting to carry out all lawful functions allowed under federal, state and local criminal justice forfeiture programs? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that these functions could not be funded. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee

Moved by Virginia Bridle

Seconded by William Sullivan

Chief Wrenn explained the article. He said that money that comes to the Department by forfeiture of items seized by the federal agents. It is returned to those police departments that aided them. It can not be used by any other department or for any other purpose. Laws require putting the money in this type of fund.

No further discussion.

Results of balloting on March 8, 2005

Yes 2544*

No 1057

Article 27 Passed

It was moved and seconded to restrict reconsideration on Articles 26 and 27. All approved.

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ARTICLE 28

Shall the Town of Hampton appropriate only the sum of \$70,000 from revenues generated from the Hampton Cable TV Local Origination Fund, a Special Revenue Fund created by Article 21 of the 2000 Town Meeting and funded with revenues generated from the Cable TV local origination franchise agreement funds, to upgrade, expand, and enhance the development of the local origination channel? Adoption of this article will have no effect on the Town's tax rate. Defeat of this article would mean that the Hampton Cable TV could not be funded. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by William Sullivan
Seconded by James Workman

Mr. Sullivan stated this is slightly different because the funds come directly from subscribers thorough the cable committee.

Mr. Lang expressed gratitude to the cable committee for their efforts in televising town events.

Moderator Casassa told of the hours the volunteers put in to put this meeting on the air.

No further discussion and the article will be on the ballot as written.

Results of balloting on March 8, 2005

Yes 2635*

No 983

Article 28 Passed

ARTICLE 29

Shall the Town of Hampton appropriate only the sum of \$25,552, generated from the sale of town-owned cemetery lots, to the Cemetery Burial Trust Fund; the interest from this Fund is withdrawn annually and deposited in the Town's General Fund as an offset to the amount appropriated in the operating budget for the maintenance of the cemeteries. This appropriation will not affect the Town's tax rate. Majority Vote Required. Recommended by the Board of Selectmen. Recommended by the Budget Committee.

Moved by Mr. Pratt
Seconded by Mr. Workman

No discussion and this article will go to ballot as written.

Results of balloting on March 8, 2005

Yes 2782*

No 793

Article 29 Passed

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ARTICLE 30

Shall the Town of Hampton authorize the Board of Selectmen to appoint a special committee to study and report to the Board of Selectmen their findings and recommendations regarding the possible acquisition by the Town of Hampton of Aquarion Water of New Hampshire.

Moved by Mr. Sullivan
Seconded by Mr. Pratt

This article asks the voters if they are interested in purchasing the water company.

Mrs. Woolsey questioned how we can run the water company when we have trouble running the town.

Results of balloting on March 8, 2005

Yes 684

No 2899*

Article 30 Failed

ARTICLE 31

Shall a Charter Commission be established for the purpose of revising the municipal charter or establishing a new municipal charter?

Moved by Mr. Workman
Seconded by Mr. Pratt

Mary-Louise Woolsey challenged the inclusion of this article and Article 1 due to the fact there was no recorded vote and the 49-b: 4 states there shall be a special election. She told the meeting of the expense the Town incurred in approving the charter question five years ago.

Mrs. Searle urges the votes to vote no on this article and (she as an observer to the charter commission) witnessed dissolution of the power of the voter. The goal was to turn most of the authority over to the councilmen.

Mr. Moody said last charter commission cost 25,000 for their attorney.

Mr. Rice stated the town got an opinion from the Attorney General last year and it was approved. This is a question on improving town government.

Mr. Friedman said there are some things you can regulate and some things you can't. The problem we have with our government is not things we can change with a different type of government. The type of government is less important than the head of the organization.

Mr. Scanlon said for 350 years this type of government has existed and he has a hard time giving it up to a commission. The only thing is that you are further removed from your constituency.

Mr. Warburton said all that Article 31 does is ask the public if they want a commission.

No further discussion to the ballot as written

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Results of balloting on March 8, 2005

Yes 937

No 2568*

Article 31 Failed

ARTICLE 32

Shall the Town of Hampton vote to authorize the Board of Selectmen to exchange with the State of New Hampshire and/or the NH Department of Transportation, the Town's ownership of Ashworth Avenue in return for the State's ownership of that portion of Ocean Boulevard that lies between its north and south intersections with Ashworth Avenue?

Moved by Mr. Pratt

Seconded by Mrs. Bridle

This article if passed will allow Ocean Blvd. to belong to the town and Ashworth Avenue to the state.

Mr. Moody questioned the reasoning behind this.

John Kane, Beach Commissioner said Ocean Blvd. comes under two different agencies and we are just trying to get back a portion of the beach we gave up. The area is from the stature to the bridge but, not the beach section, just the road. It will give us a chance to upgrade the site, improvements such as the sidewalks and maybe a promenade. Mr. Kane said that Representative O'Neil will introduce a bill to the state legislature to try to do this.

Mr. Barrington said this will give us the property closest to the ocean and enhance our development and increase our tax base.

Mr. Moody offered to amend "to exchange" in the first line to "discuss exchanging."

Seconded by Nathan Page.

The motion failed.

Results of balloting on March 8, 2005

Yes 904

No 2557*

Article 32 Failed

A motion was made and seconded to restrict reconsideration on articles 27 through 32. So Voted.

ARTICLE 33

Shall the Town of Hampton vote to adopt the provisions of NH RSA Chapter 149-I pertaining to sewers so as to authorize the Board of Selectmen to perform all the duties and possess all the powers in the Town of Hampton that are conferred by RSA Chapter 149-I upon the mayor and aldermen in cities?

Moved by William Sullivan

Seconded by Clifton Pratt

Mary-Louise Woolsey said this article would place the authority of the sewer ordinances out of the hands of the town meeting and into the hands of the selectmen. She questioned how

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many have read Chapter 149-I saying this is a dangerous power. She then read the section of the RSA regarding taking land by eminent domain and to buy and sell sewage. This will give the Selectmen the power to set up funds. She feels it is a dangerous statute, and that the public voted this down in 1989.

Mr. Barrington answered that the board of selectmen already has the authority for eminent domain and boards of selectmen of today are trying to make up for the acts of the selectmen of old.

It was voted to end discussion on the article and it will be on the ballot as written

Results of balloting on March 8, 2005

Yes 901

No 2558*

Article 33 failed

ARTICLE 34

Shall the Town of Hampton vote to rescind its adoption of RSA 32: 14-23, the Budget Committee portion of the Municipal Budget Law, and adopt in its place an advisory Budget Committee that shall make recommendations only to the Governing Body. (By petition)

Moved by Edward Buck

Seconded by James Workman

Brian Warburton thanked Mr. Buck for his work on the budget committee for the past six years. He said this article would not take away from the Budget Committee their ability to discuss debate or take back to the selectmen their recommendations. SB2 has taken away the functions of the budget committee. The manager along with the department heads should have the say on their budget but at the end of the day the voters have their say on the budget.

Brian Lacey said this article asks the departments to police themselves and if you approve this you are taking away the bottom line away. Does this mean the cemetery trustees can vote themselves each a pickup and put it in front of the voters?

Ms Rosemary Lemers spoke against this article as did Virginia Bridle former member of the Budget Committee and current "selectman watchdog" for the citizens of Hampton.

Frederick Rice spoke for the article saying this is not to do away with the budget committee but give further authority to the people who are running the town.

A motioned was made by Richard Reniere to end discussion. Seconded by Michael Pierce. The motion passed and Article 34 will be on the ballot as written.

Results of balloting on March 8, 2005

Yes 661

No 2777*

Article 34 Failed

ARTICLE 35

Shall the Town of Hampton amend Chapter 2 – Article 15 of the Town Ordinances to read as follows:

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Sec. 2:1501 Waste Collection and Storage

- (a) Solid waste on the premises shall be stored in a manner as to make it inaccessible to insects, rodents and birds. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing solid waste shall be prohibited. Cardboard or other packaging material shall not be required to be stored in covered containers.
- (b) Outside storage areas or enclosures shall be large enough to store the solid waste containers that accumulate and shall be kept clean. Solid waste containers, dumpsters and compactor systems located outside shall be stored on or above a smooth surface or nonabsorbent material, such as concrete or asphalt, that is kept clean and maintained in good repair.
- (c) Trash containers must be placed in front of the property as close to the curblin e as possible without blocking the way. Town employees shall not be required to handle trash or trash containers which fall within the following descriptions:
 - 1. Loose, uncontained material such as sand, gravel, leaves, scrap wood, masonry, steel, stone, garbage, dead animals, or manure.
 - 2. Containers which contain substantial amounts of the foregoing.
 - 3. Containers that are filled so as to be grossly unwieldy.
 - 4. Containers larger than a volume of 32 U.S. gallons.
 - 5. Containers with a gross weight in excess of 75 pounds.
 - 6. Containers which are so worn or damaged as to make them likely to fail.
 - 7. The contents of containers which spill due to failure of a worn or damaged container.
- (d) All trash for collection must be in appropriate covered containers. Trash bags alone shall be unacceptable. Boxes and corrugated material shall be broken down, flattened and neatly tied in bundles not exceeding 24" wide x 24" deep x 12" high. No person and/or business shall use the public trash containers for disposal of their own trash generated on their premises.
- (e) Places of business within the boundaries of BS (Business Seasonal Zone) depositing trash for collection may place appropriate containers at the curb line between the hours of 10:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such business shall be permitted to place trash for collection by public or private means on any way between the hours of 5:00 AM and 10:00 PM on any day.
- (f) Places of business outside of the boundaries of the BS Zone depositing trash for collection may place appropriate containers at the curb line between the hours of 8:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such business shall be permitted to place trash for collection by public or private means on any way between the hours of 5:00 AM and 8:00 PM on any day.
- (g) Residences within the boundaries of the Hampton Beach Village District depositing trash for collection may place appropriate containers at the curb line between the hours of 9:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such residence shall be permitted to place trash for collection by public or private means on any way between the hours of 5:00 AM and 9:00 PM on any day.
- (h) Residences outside of the boundaries of the Hampton Beach Village District depositing trash for collection may place appropriate containers at the curb line between the hours of 8:00 PM on the day prior to collection and 5:00 AM on the day of collection. No such residence shall

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be permitted to place trash for collection by public or private means on any way between the hours of 5:00 AM and 8:00 PM on any day.

Penalty Any person violating any of the provisions of this Article or the rules and regulations made under the authority thereof, shall be liable to a penalty of not more than One Hundred Dollars for each offense

Moved by Mr. Workman
Seconded by Mr. Pratt

Mr. Hangen spoke to the article and after several questions Selectman Sullivan moved to amend the article by changing in sections e,f,g,h, the word "leave" and replacing it with the word "place".

Seconded by Mr. Barrington. The motion carried and the article will be on the ballot as amended.

Results of balloting on March 8, 2005

Yes 1038

No 2401*

Article 35 Failed

ARTICLE 36

To see if the Town will vote to establish a Municipal Transportation Improvement Fund to assist the community in supporting, wholly or in part, improvements to the local and regional transportation system as set forth in RSA 261:153 & VI. This will be a capital reserve fund whose proceeds are to be used to fund eligible local transportation projects such as parking improvements, public transportation, roadway improvements, signal upgrades, and development of new bicycle and pedestrian paths. (By petition)

Moved by Mr. Bambury
Seconded by Mr.Pratt

Mr. Bambury spoke on article 36 and 37 Article 36 sets up a program to accept and establish a fund and article 37 asks for a surcharge to be added to vehicle registration for the fund.

No further discussion on article 36

Results of balloting on March 8, 2005

Yes 881

No 2548*

Article 36 Failed

ARTICLE 37

To see if the Town of Hampton will vote to collect an additional motor vehicle registration fee of \$5.00 per vehicle for the purpose of supporting the Hampton Municipal Transportation Improvement Fund. As set forth in RSA 261:153 & VI (b), this fee would apply to all motor vehicles with the exception of all terrain vehicles, and antique motor vehicles or motorcycles. The effective date of this article would be 7/1/05. The Town Clerk's Office would retain fifty cents for each registration for administrative costs.
(By petition)

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Moved by Mr. Bambury
Seconded by Mr. Workman

A motion to amend the article was made Nathan Page to reduce the amounts to zero
Mr. Pierce seconded

The Page Amendment passed by a vote of 13 to 0 .

The Moderator said the article would go on the ballot as amended.

Results of balloting on March 8, 2005

Yes 595

No 2805*

Article 37 Failed

ARTICLE 38

By petition of Ann T. Meltonian along with the required registered voters request the Town Meeting of Hampton to authorize installation of an 8' X 10' shed on Map 125 Lot 442. It's placement would conform to all boundary requirements. It will have vinyl siding and be erected on the northwesterly corner of the rear yard.

Moved by Linda K. Meltonian
Seconded by Virginia Bridle

After some questions regarding town requirements, Russell Bridle, offered to amend the article by replacing the word "boundary" with the words "town setback" The amendment was seconded by Ms Meltonian. The Bridle Amendment passed.

Article 38 will be on the ballot as amended.

Results of balloting on March 8, 2005

Yes 1444

No 1857*

Article 38 Failed

Respectfully submitted,

Arleen E. Andreozzi
Hampton Town Clerk