

TOWN OF HAMPTON  
BOARD OF SELECTMEN  
September 13, 2010 Minutes

PRESENT: Richard Nichols, Chairman  
Richard Bateman, Vice Chairman  
William Lally  
Richard Griffin  
Gerald Znoj  
Frederick Welch, Town Manager  
Mark Gearreald, Town Attorney

7:00 PM

SALUTE TO THE FLAG

I. Public Comment Period

Art Gopalan, 20 Windmill Lane, here tonight to utilize this tool that the Selectmen have to advertise an event Hampton Arts Network is sponsoring an Art Walk on Thursday October 7<sup>th</sup> between 6 and 8 pm at downtown and beach locations. Hampton Arts Network is a newly formed group by visual artists like himself and the Gebhart's along with other artists of Hampton to promote art appreciation in Hampton. He shared further information on how artists in Hampton do not have a place to showcase their work.

Candice Stellmach, 488 High Street, the Grist Mill committee is filling out the application to the NH Preservation Alliance for what they call a seven to save program. If chosen we will not receive any cash but it does help local advocates to build a case to get grant money, helps property owners and local officials to understand what they are doing. It kind of gives the committee the stamp of recognition. Their objective is to get them to understand that this could possibly be a museum/education center. Last week a field representative came down to see the mill and it could be the oldest mill in NH. They are asking for the support of the Board and would like to know if they can put their names down on the application. Mr. Griffin believes that they are looking for endorsement from the Board. Chairman Nichols clarified that this committee is separate from the Heritage Committee.

Mr. Griffin MOTIONED to give Candice Stellmach a letter of support from the Board. Mr. Znoj SECONDED.

VOTE: 5-0-0

II. Announcements and Community Calendar

Mr. Griffin announced that on Saturday September 18<sup>th</sup> at 1 pm there will be a walking tour of Hampton. This will be the 3<sup>rd</sup> and final walking tour of Hampton called Harvest, Ramble and Repast. During this walk you will learn about Hampton's historical past. Contact Betty Moore at 926-2543 for reservations the cost is \$10. Also on September 19<sup>th</sup> at 2 pm local Historical Societies will be joining together to host Lafayette in America. This is an English translation of the book Lafayette in America. It will be held at the Hampton Falls Historical Society. He also mentioned that the Pig Roast was a big success.

Mr. Znoj would like to share a few things that they received in their mail boxes. The Town will be holding an auction on Saturday September 18<sup>th</sup> at 9 am at DPW facility. He informed the public that Aquarion Water will be flushing the fire hydrants between September 27<sup>th</sup> and October 29<sup>th</sup>. During this time customers may experience discoloration of water and should allow the water to run for awhile until it is clear again.

Mr. Lally also wanted to mention the auction on Saturday. There are a lot of items to be auctioned including bikes and cameras. Vic Lessard and Mr. Lally will be the auctioneers.

### III. Appointments – Chairman Nichols stated that there was a request to move the DPW budget discussion forward on the agenda.

#### 1. DPW budget discussion

Mr. Price thanked the Board for moving him forward on the budget since he needs to get to Marston School to set up the polls. He believes the Board has received the revamping of the budget from 2 weeks ago. At the request of the Board he has removed certain items out of the budget totaling about \$78,000. Chairman Nichols would suggest since the Board has had the budget since last Friday that instead of John going through each line item the Board could have the opportunity to ask any questions of Mr. Price. Chairman Nichols would like to comment in relation to the budget his interpretation the revised budget is reduced by \$220,545. Mr. Schwotzer confirmed that he calculates the same amount as Chairman Nichols.

#### Discussion

Mr. Znoj stated he likes this budget better than the one two weeks ago. He wonders if the contracted service number is straightened out. Mr. Price stated that it is not yet since they are still waiting for bids to come which should happen before the final budget is presented. Chairman Nichols suggested that this line item be flagged so that it is addressed before the Board turns the budget over to the Budget Committee. Mr. Znoj asked for further explanation on why the two pickup trucks need to be replaced totaling \$52,000. Mr. Price explained that vehicle #17 is having a lot of mechanical problems and it has been recommended that it be replaced. The other vehicle the 1998 Dodge has had the transmission replaced twice and they cannot count on it for plowing in the winter. The vehicles will be traded in and be part of the bid.

Chairman Nichols stated that with these reductions the proposed budget is now virtually level with last year's budget. Also when you look back about 5 years this budget is actually less by about \$1M than the 2006 DPW budget. He still feels that in the future when people retire that we need to look closely at turning positions into part time positions. Chairman Nichols, Mr. Welch and Mr. Price have agreed to put out a bid for both trash and recycling over a five year period and the bid should be out by the beginning of next week. The bid will be put out

for 3, 5 and 10 year periods. Mr. Lally questioned if this would cost anyone their job and if that is the case he would not be in favor of this. Mr. Griffin agreed with Mr. Lally. Chairman Nichols would also like to leave the issue of moving money from the Recreation budget to DPW budget for mowing and other things open until Dyana comes before the Board with her budget. The Board agreed that this should be left open until that time.

Mr. Znoj stated that Mr. Price needs to get his capital improvement plans into the CIP committee. Mr. Price will have it delivered by Wednesday. He was waiting to hear from the Board which way the Board wanted him to go with trash and recycling.

2. Paula Barnes – Petition request for “No Parking” Signage at Meadow Pond Road, Greene Str. & Extension of Greene Str

Ms. Barnes is here to ask the Board to seriously consider their petition. At times they have little to no access to their properties since people are parking on both sides of the road. They have contacted both the Fire and Police and they have been told they can do nothing since there is no signage. People park on their lawns, block their mail boxes and will park anywhere they can find an inch. The street is an accepted street.

Discussion

Chairman Nichols asked Chief Silver to comment. Chief Silver would suggest the Board table this for one week and give him and Chief Sullivan a chance to go down there and take a look at the area.

3. Michael Schwotzer – Monthly Financials

Mr. Schwotzer stated that his monthly report will be posted on the website. Here to discuss the August Income and Expense Statements. The accuracy of the YE Savings report is still suspect due to one third of the year remaining and the seasonal nature of the larger departments spending patterns. That said, the current year-end saving is calculated at \$1.1M or 5.3% below budget which is almost identical to the August 2009 figure.

The income for the month totaled \$575k. Of this, the motor vehicle total came in at \$210k which is \$3k less than the month’s budget. Year to date is now \$79k below budget. The actual/budget gap is at 3% which is slightly higher than last month. He will continue to monitor/report on this segment since it represents over 40% of the income budget. Other major areas were: Interest on Taxes @ \$49k; Building Permits slowing to \$8k for the month; Federal Grants @ \$44k; State Highway Block Grant @ \$93k; Departmental Income/Misc @ \$49k; Parking Lots @ \$84k; Court Fines @ \$16k.

The Expense summary shows the year to date expenses by department. At the end of August, the operating departments (with debt service) were 61.9% of the budget, which is 4.8 percentage points (or \$1.2M) lower than the month’s target of 66.7%. This is slightly more than the “YE Savings” discussed above but is not reflective of all the contributing factors. In Finance, the Registry of Deeds expense is now 40% over budget due to high usage in ’10. This is one of the several accounts (like Postage) that are sued by several departments but the costs are not allocated to them. This makes it easier for budgeting/reporting purposes but can reflect negatively on the host department. In Management Information Services the new part-time tech, Chris Zelepsky, started today and is working with Paul at the polls at the present time. The hiring of this new person will ease the need for the current level of OT which is at 100% of budget. In Personnel Admin, the NH Retirement costs are running

below the target because the budget was calculated to include the contribution rate increase which started in July. If the \$511k budget for the “Other Cost Offset” is disregarded, the % used rises to 56% vs. the month’s 67% target. The Cemeteries’ P/T wages are at 80% of budget due to the seasonal nature of the grounds maintenance. In Municipal Insurance, Health Insurance has now com in slightly below budget for eight months in a row. This is another of the “important” accounts due to its annual cost/impact of \$2.5M. The Police Department’s overall expenditures are at 63% of budget. This usually means that after the final costs for the summer season are incurred and accounted for, the end of year will remain below budget. Costs related to the Mounted Patrol over and above the budgeted level (\$5,933 YTD) have been moved to the Grants account (the last line of Police Station and Buildings). The other \$35k of costs booked to the Grants account relate to State and Federal grant monies recorded on the income statement. The Fire Department’s OT analysis showing the August YTD cost as being \$54k lower (down from \$60k last month) than incurred in ’09. This gap will continue to close as we close out the summer season. The negative \$8k in OT Callback reflects the \$11k FEMA reimbursement for the March storm OT costs. The Fire Department is now at 63.3% of budget overall. As in the Police Department, costs relating to the FEMA Grant were moved to the FD Grant expense line which has the effect of increasing the departmental budget by the same amount. PWD Highways & Streets is now at 56.2% of the budget compared to the 66.7% target. Over \$400k remains to be expended in the Paving & Reconstruction subsection & Warrant Articles. The contracts have recently been awarded and the work will be commencing shortly. Solid Waste Transportation is at 60.3% of budget reflecting the increased summer volume impact. The total Municipal Sanitation Department is at 58% of budget as compared to 60% in ’09. The Library is showing expenditures of 66.8% vs. the target of 66.7%. Good Job! Only five of the Human Service Agencies need to send in the required letter requesting disbursement. As in past years, any agency with amounts greater than \$10k will be receiving it in two staggered payments. In Fund #27 – EMS the reporting of the Ambulance Revenue continues to lag at least a month behind.

#### Discussion

Mr. Znoj did not go through it with a fine tooth comb since they are currently working next year’s budget. He is happy to see us a \$1M+ under which will benefit the taxpayer. He thanks the managers of the departments and the Town Manager for providing this kind of an under-run if you will. He was surprised to see the parking lot revenue come in at \$343,000+ and they still are not done. Glad to see the paving and reconstruction underway.

Mr. Lally also thanks the Department Heads and Mr. Schwotzer for the hard work.

Mr. Griffin thanked Mr. Schwotzer for his report.

Mr. Bateman asked about the \$8,000 in Building Permits and wonders if this has slowed since people found out that they cannot get any more sewer permits. Mr. Schwotzer does not believe it is related to that but instead just timing of the season. In fact he believes he just saw \$12,000 come in on a deposit recently.

Chairman Nichols asked about the \$1.1M YE savings at this point and wonders if this includes the \$510,000 in the Other Cost Offset account. Mr. Schwotzer stated that it does not include the \$510,000 so in essences the YE savings would be around \$1.6M. Chairman Nichols explained that he and Mr. Schwotzer had a discussion in regards to the MS-4 form

that goes to DRA and forecasts the Town's revenues. If he recalls correctly Mr. Schwotzer is basically forecasting 100% of revenues at this point.

Another thing that Chairman Nichols would like to get on the table beyond the August report while Mr. Schwotzer is still here there are a few numbers that relate to where we stand overall on the budget. He would like to put some things in context of where we are from the bottom line going forward with other budgets. With the \$220,895 reduction in DPW by his numbers brings the Operating Budget down to \$24,350,000 which is actually less than last year's budget by about \$25,000 but without the benefit of the \$510,000 in the Other Cost Offset account. He thinks what is important going forward is that we understand where we stand with the budget in relation to where the Default Budget may end up. By his calculations simply adding the health insurance and the retirement to last year's budget would bring the Default Budget up to approximately \$24,900,000 which is essentially \$550,000 more than where we are at in the Operating Budget. Summing up with the \$220,000 reduction in DPW we have an Operating Budget that is currently sitting at \$550,000 less than the Default Budget. What he would propose tonight is that they essentially take the same step this year that they took last year calculating the Default Budget and they declare the \$510,000 Other Cost Offset amount a onetime expenditure and remove it from the calculation of the Default Budget. What this would do is reduce the amount of the Default Budget down to a level that's roughly about \$50,000 more than where they are currently at with the Operating Budget. Mr. Lally thinks it worked well last year. Chairman Nichols commented that they are trying to keep taxes down and are making a statement in the Operating Budget of what they believe their needs are and he does not see a need to leave \$550,000 in the Default Budget. The other issue with the Default Budget is how they have handled three line items heating, gasoline and electricity and it would be his recommendation that they go with the same amount as last year.

Chairman Nichols MOTIONED that they instruct the Manager and the Finance Director to consider the \$510,000 the Other Cost Offset account a onetime expenditure for the purpose of the calculation of the 2011 Default Budget. Mr. Znoj SECONDED.

VOTE: 5-0-0

Mr. Griffin would like to know what Mr. Schwotzer thinks about this. Mr. Schwotzer explained that he has already begun work on the Default Budget and has put a zero in for this line item. He reminds the Board that this motion gives him guidance as to what the Board would like him to do but in the end the Board will have to vote on the Default Budget.

#### IV. Minutes of August 23 and August 30, 2010

##### Approval of the Minutes of August 23, 2010

Page 3: Third paragraph from the bottom of the page, remove the language that references "and/or Chairman" from the vote.

Page 6: The sentence, which starts with "Atty. Gearreald" change the word "except" to "accept".

Page 9: In the Vote on the Headquarters after the word, "combine" add the following words "the Police and Fire".

Page 11: Forth sentence in the last paragraph, add the word “negative” before the word “long”.

Page 12: Add the following before the vote on the withdrawing of the funds from the Trust Funds. “As it appeared that it would be a split vote, Mr. Nichols would vote.”

Mr. Znoj MOTIONED to approve the minutes of August 23, 2010 as amended. Mr. Griffin SECONDED.

VOTE: 5-0-0

Approval of the Minutes of August 30, 2010

Page 3: The sentence that starts with “Chairman Nichols” change the phrase to read as follows, “Chairman Nichols stated that it does not make sense that we jumped from 65% to 80% like that.”

Page 7: Third paragraph from the bottom of the page, last sentence add “up by” before the word “is” and replace “and” with “or”.

Mr. Bateman MOTIONED to approve the minutes of August 30, 2010 as amended. Mr. Znoj SECONDED.

VOTE: 5-0-0

#### V. Town Manager’s Report

The Town has received an announcement from the Aquarion Water Company that they will be flushing fire hydrants between Monday, September 27 and Friday, October 29, 2010.

The Board should be aware that two full-time permanent Police Officers have resigned within the week to accept appointments with other Police Department. The first being effective September 10<sup>th</sup> and the second today, September 13<sup>th</sup>. We will be looking to fill these full-time positions.

As previously instructed we have prepared a letter of agreement with our sewer consulting engineers, BETA Group, to delineate wetlands, conduct field survey, prepare Shoreland, Dredge and Fill applications and obtain the permits for the tide gate for Brown Avenue, as well as preparing all bidding documents for the construction. The cost will not to exceed the funded amount of \$19,900 that was previously authorized by the Board.

The Department of Public Works has been requested to move two small urns from the Sea Shell Stage to the Precinct Garage. As this is not Town property, shall the Board give permission to do so? This was taken care of earlier today by someone else.

The Town has awarded a bid for roadway pavement crack sealing to the lowest of three bidders, Nicom Coatings, Corp. for \$9,600.

The Glen Hill Neighborhood Association has requested permission for a street closure permit and a one-day entertainment license in order to hold a Neighborhood Block Party this weekend for 6 hours starting at 2 PM. We would request the Board approve the requests for this activity.

Just to let the Board know last week he approved the use of the Recreation bus so we could move the teacher’s parking down to the Junior High School and other locations so that we

would have more parking for the elections tomorrow. There will be 3 runs in the morning and 2 in the afternoon.

As the Board is probably aware there are no SRF funds currently available from the State of NH but we have received a request to file anyway. We have filed a request so that we will be in the pecking order. The request is for repair and replacement of the Lafayette sewer which is a clay interceptor. The estimated cost is \$379,500. They also requested replacement of Ashworth Ave west side sewer replacement at \$1,897,500 which we all know is the west side streets. We have also put in for the replacement of the Church Street pump station at \$2,530,000 so that we can get in the queue when the State does receive the funds for funding we can be in consideration when the sums are actually appropriated. Chairman Nichols commented that this is something that would have to be voted on at Town Meeting if the funds did become available since these funds are used as low interest loans.

#### Discussion

Mr. Griffin reminded everyone that the voting is at Marston School not the High School from 7 am to 8 pm.

### VI. Old Business

#### 1. Sewer Moratorium

Chairman Nichols commented that subsequent to the last Selectmen meetings there was a meeting with DES on Friday September 3<sup>rd</sup> that Mr. Welch, Mr. Price, Mr. Znoj and Mr. Nichols attended. The meeting was very informative and productive. One thing Chairman Nichols asked Mr. Welch to do was to put together a report that simply lays out what was discussed and the history. Mr. Welch has done this and the report will be reviewed by DES so that we are all on the same page. DES has reviewed the report and suggested that a couple of minor things be added but they basically agreed with the report. Therefore tomorrow or the next day the report will be available to the public and it will be put on the website. Chairman Nichols would ask that Mr. Welch touch on a few parts of the report tonight to help the public understand what is happening.

Mr. Welch explained that DES has indicated that the Town is required to take the following actions. Install appropriate influent flow meters to measure the actual influent flow to the WWTP. Chairman Nichols commented that this has not been completed yet and Mr. Welch is out from October 7<sup>th</sup> to the 19<sup>th</sup> and Mr. Price is out starting the end of this week and through the month of October. It is essential that we get these flow meters installed and that the RFP goes out before Mr. Price and Mr. Welch are out. The State would like us to initiate influent BOD and TSS sampling at a minimum of twice a week using a 24 hour flow base composite prior to recycling stream. Mr. Znoj wonders how often we have currently been doing this and it was explained that there is a State protocol and it is two or three times a month. They would like us to repair and replace any equipment that is not fully functioning which is currently ongoing. Using the State RFQ process hire a consulting engineer to evaluate the Plant processing capacity concerns. They would like us to implement recommendations for plant evaluations which are nearing completion since it was contracted for earlier in the year. What is the Town doing to resolve these issues? DES has stated they have a problem with the raw inflow sampling points which have been used for many years with DES knowledge. This issue has never been addressed by DES until now. The Town

has taken action to comply with the State's request. The DES has requested twice weekly sampling and the Town has complied. DES has requested repair/replacement of any equipment not fully functioning the Town continual repairs/replaces faulty equipment. DES has requested the Town to RFQ and hires an engineer to evaluate process and capacity concerns the Town is preparing to issue the RFQ. DES has requested the Town implement recommendations from the plant evaluation; the evaluation is nearing completion and will be implemented when received to address the areas of concern. DES is requesting the Town only receive septage waste originated in Hampton this request has been implemented. He would comment that the State has said as of today this restriction will only remain until the plant is at capacity to receive additional septage. The Town continues to receive sewage from Rye and Rye is included in the moratorium by the State and is looking at what needs to be done. The Town's continue to share information back in forth on this important issue. The technical issues the State is concerned that the treatment plant has reached its capacity based on their analysis of test samples that show a higher than authorized levels of total suspended solids being received at the plant. The analysis is based upon test that DES indicated are flawed and has required be retested at new locations where they believe contamination will not be present. That contamination is caused by sampling that includes recycled effluent within the plant being mixed with influent which is the incoming streams that are purer from the outlying areas. This mixing causes higher than authorized TSS and BOD's resulting in the readings being twice those allowed in the influent materials received at the plant. We believe the test results have given incorrect data upon which incorrect assumptions and the moratorium are based. New testing is in progress and will continue. Once the results are known the moratorium can be readdressed with DES and we believe discontinued. DES has discussed with the Town the ongoing issues with dewatering equipment at the plant the Town has been engaged in repairs so that the equipment can be returned to 100% operating capacity. Mechanical repairs and replacement are a continuing ongoing operational issue on a daily basis. The corrosive environment of the plant makes necessary continual maintenance of the facility on a daily basis. The Town is working with DES to prepare the RFQ under DES regulations to engage an engineer to review the plant for a fuller understanding of the short and long term capacity issues that have concerned DES. It will take several weeks to complete all the State requirements and obtain approvals to issue and receive back the RFQ and engage the engineer. The goal is to complete the process so that any discovered deficiencies can be addressed at the annual Town Meeting in March 2011 if necessary. He would also comment that the State issued this morning their first permit for a building to connect to the sewer system on Glenn Road. The building had already been built and issued a permit but the permit had expired so a new one was issued.

#### Discussion

Mr. Znoj finds it odd that DES feels the test results are flawed. Mr. Welch explained that the test were run by the Town and knew that there was recycled material in the results requirement which DES has permitted for a long period of time maybe a decade or more. They knew that there was recycled effluent in the test results so they knew the results were flawed it was higher than it should have been. The Town maintains that there were only 3 days in 2010 when the influent levels were higher than they should have been. This is about average for every year. Mr. Znoj commented that this summer was beautiful and the beach was packed and he thinks this really influenced the capacity.

Chairman Nichols would make a couple of comments. One has to do with timeframes and the other has to do with cost. In terms of timeframes there have been comments and information out there that said this is going to last a year or more and he does not think we know that at this point. At this point we do know that it will last a couple of months to get everything required done. The next milestone is getting an engineer to present a report which will hopefully be done by November. Mr. Welch thinks that the first milestone is an interim milestone because the Department Head in charge of DES indicated because of the fact that now that the beach is unoccupied compared to where it was before school was in session that those influent test taken before the recycling is probably going to allow them to lift the ban earlier simply because we are not going to have the inflow. At that point the Town can apply to them to have the moratorium removed. This is a month to a month and half away. Chairman Nichols commented in terms of cost we are going to have an incremental cost associated with the engineer and we do not know what that is but it is probably reasonable to assume that it is tens of thousands of dollars as opposed to hundreds of thousands of dollars.

Mr. Lally thinks there are a couple of positives that it is not an absolute ban and instead are looking at it case by case. Unlike when the last ban was placed on the Town and people could not even add a bedroom to their house.

Chairman Nichols asked Mr. Welch to explain the criteria on who is allowed to connect. Mr. Welch explained that the criteria have been modified somewhat and if you have one of two things even if it is expired. If you have a prior sewer & entrance permit from the Town the State is going to approve that. They have also indicated that if there is a sewer line to the property that is to say if the main has been severed and a connection has been placed at the main of the street the State will probably approve that as well. Their criteria as for the old septic rules is that if you put a bedroom in that is either one or two people and to do that you are going to need a special permit from the State to build. Mr. Lally commented that this is a big difference from the letter we received a couple weeks ago.

Mr. Znoj thinks that the meeting with DES last week was very cordial. It sounds a lot better than it did a few weeks ago. Chairman Nichols added that there were communications that went out over the past year from DES whether it was in writing to the group at Rockingham County or conversations with the plant operators however the Town Manager and DPW Director were not made aware of these communications. He has asked Mr. Welch to solidify that all communications related to the WWTP will be copied to the Town Manager. Chairman Nicholas added that you can't just look at this and say DES was the bad guys. They are the regulators but the Town is ultimately responsible for the plant. Going forward Chairman Nichols stated that we need to be proactive in terms of knowing what things we need to be measuring, communicating those things properly and hopefully we are going to find out that we are not at 78% capacity.

Chairman Nichols has one more thing that has not been addressed and that is if this does go on for more than a couple of months and lasts a year what are people to do if they are not allowed to connect to Town sewer. Chairman Nichols pointed out that if a property is being built on a road that has Town sewer individuals must connect to Town sewer and cannot build their own septic system. In a situation like this where there is a moratorium would these property owners be allowed to build their own septic system. This would be a decision that falls under DES and not the Town and Chairman Nichols wonders if we have received

any feedback on this from the State. Mr. Welch has been told that it is on a case by case basis for DES to rule on.

Mr. Griffin asked about the property at 124 Landing Road that is coming up to the Planning Board. Mr. Welch stated that this is not on the Town sewer line but has a septic system. This raises a whole lot of issues and will have to be brought up to DES. Chairman Nichols does not think that this could be approved by DES or there would not be a sewer moratorium.

Mr. Bateman would just like to interject that there are a lot of engineer companies and he would like to express a fondness for people who live in NH to get the jobs. Mr. Welch commented that they have certainly sent the bid to all those companies.

## 2. Budget Discussions

- a. DPW Budget Discussion – Moved forward on budget
- b. Fire Department Budget Discussion

Chief Silver commented that before he reviews the budget he would like to make a couple of comments about the past 10 days two weeks preparing for one hurricane that fortunately did not happen. The Seafood Festival went on with very little incidents for his department. Chief Silver mentioned that FF Morrison is currently being deployed for 12 months and FF Steele has returned from deployment.

In regards to the budget Chairman Nichols would suggest that the Chief cover highlights and then answer questions from the Board. Chief Silver will focus on line items that have an increase. There is an increase in the fuel accounts but it is not due to an increase in cost but instead related to an increase in volume from this year. This could be related to the number of calls or the amount of time a unit is out on any particular call. There are a few changes to some wage accounts but he would like to point out under the account line titled Vacation Wages at the beginning of each year the members are awarded a dollar value of vacation leave equal to about \$260,000 and this particular line only funds about \$157,000 so it is underfunded. As a result this is the one that consistently results in the departments short staffing on any particular day or evening. The increase under Technical Hazard is the amount needed to replace, repair or continue to service and maintain with respect to technical hazards. There was a discussion about how this line item is not spent for the year but it is one of those line items that are usually spent at certain times of year giving some examples like heating problems and a/c problems. The Equipment Other line includes items that were removed from the budget last year and have been restored here. Mr. Znoj pointed out once again that these two line items are under spent and the Chief explained again the timing of these expenses. The Chief also explained that many times these line items are not spent to help offset other needs for the department. He went into further detail about the items needed to be purchased. In fire prevention the Supplies & Expense line increased because this was another of the line items reduced last year so he has restored some of the expenses here. The cost of medical exams has been doubled because the cost of pre-employment screenings has increased. Vehicle Maintenance is increased because they hope to do some refurbish to the old pumper truck E4 as to extend its life.

### Discussion

Chairman Nichols asked about the line item for Rentals & Leases has \$7,500 for IMC-Information Management Contract and he wonders what this is. Chief Silver explained this

is the company that supplies the records management software so this is to maintain the licenses and keep the database current. There was an additional discussion on what this software does. The only comment Chairman Nichols would make is that we are spending a lot of money for something that does not give the reports needed. He pointed out how EMS and Fire Suppression reports do not talk to each other in essence giving us data that is incorrect in regards to response times. He wonders if we are working towards a system that tells us how we are really doing as opposed to we really don't know. Chief Silver stated that the short answer is yes. IMC software also provides EMS reporting module and the State has been making some changes to their reporting requirements so we are constantly lagging a little behind. As soon as we can get caught up we plan to change over to the IMC EMS reporting. He was going to do this during the summer but felt it was important to wait until a period that is not so busy. Chairman Nichols stated that it appears in January we might be able to look at data that is more accurate as to what the department is actually doing in regards to response time.

Mr. Znoj brought up the line item for Training & Recruitment and it is substantially more than the actual for the past couple of years. Chief Silver explained that a lot of this is contractual and he is not even halfway through the amount being spent this year.

Mr. Znoj expressed that he is only up \$60k bottom line which Chairman Nichols pointed out is 2%. This is not huge in the scheme of things but Mr. Znoj thinks he hears violins in regards to some of these line items.

The main thing that Chairman Nichols has is he would like some explanation of the analysis saying we are going to be able to do the \$261,000 in the transfer of expenses from Operating into EMS similar to last year. The reason is he has a concern on two levels. When this was done last year part of it was to bring down a fund balance that had built up over several years. Also given the run rate of EMS revenues they are \$80,000 less than last year. He asked the Chief to explain the analysis or confidence that we will be able to do this again next year. Chief Silver explained that in 2009 they were asked to push everything through and close out December of '09. Therefore the revenue for EMS was a little higher in December and lower in January since January is when the revenue for December would usually be collected. Chairman Nichols concern is that the Board agreed that they wanted to keep the balance in this fund around \$175,000 the cost of an ambulance and is not sure if this can be done with the drop in revenue. Chief Silver and Mr. Schwotzer had discussed this and in June moved about half of the expenses for the year totaling around \$133,000. They have both been watching this account and if things continue as they are we should end the year with a good size balance in this account. We currently have a balance of about \$170,000. Chairman Nichols commented that what we are looking at with this budget is being able to move \$261,000 in operating expenses into the EMS fund and assure that we end 2011 with a balance around \$175,000. Chief Silver explained that the big difference is that we will not be purchasing an ambulance in 2011 and will not be withdrawing \$175,000. Chairman Nichols thinks that to feel comfortable with this there needs to be an analysis done predicting a fund balance at the end of 2011, forecast what the ambulance revenues will be for 2011, understand what the expenses will be independent of the \$260,000 that is being transferred from operating and see once they have gone through all of this see if we still had \$175,000 in the fund. Chairman Nichols' question is has this been done and Chief Silver stated it has not

been done. However he does have enough information to complete this. Chairman Nichols thinks that needs to be done assuring we can do this before the final budget is proposed.

#### Other Old Business

Chairman Nichols commented that there had been some discussions about Channel 22 and staffing. They had a committee meeting tonight at 6 o'clock which he attended. Mr. Griffin and Mr. Welch were also present. He would like to provide an update from this meeting. The first item actually needs the Boards attention since the committee is asking that we appoint Bill Lowney to the Cable Committee as a member.

Chairman Nichols MOTIONED to appoint Bill Lowney to the Cable Committee. Mr. Bateman SECONDED.

VOTE: 5-0-0

During the course of the meeting the committee voted unanimously to appoint Brian McCain as the chair of the Cable TV Committee. In addition Bill Lowney was nominated as the Vice Chair. There was a discussion as to Brad Jett's availability now that he has a fulltime job in Concord and he is still available to the committee and they will just have to do a better job of planning for the need of Brad's time. Chairman Nichols thinks that everything is fine and continues to run well. Mr. Griffin stated that one thing that was discussed that when someone wants to have something taped it needs to be done in this room whenever possible. Mr. Lally asked about the taping of sports. Chairman Nichols stated that Mr. McCain is going to come to the Board in early November with a plan on what can be done and handled within their time and budget. Mr. Bateman would only add that they still need volunteers if anyone is interested.

Mr. Griffin commented that this week there was a Heritage Committee meeting and they discussed the 375<sup>th</sup> anniversary. Mr. Griffin stated that since the meeting someone has come forward and would like to be the Chairman of the committee for the 375<sup>th</sup> anniversary. Ben Moore is the one who has come forward willing to take on this task. There are some interesting ideas and it is felt that the time is now to get this started. The anniversary is 2013. Mr. Griffin shared some of the ideas and thoughts of the activities to be planned. Mr. Griffin wonders if it is appropriate to make a motion to appoint Ben as the committee chairman. Mr. Lally is ok with this but wonders if the Board must first vote to form the committee. Chairman Nichols agrees that the Board is favorable to this but the Board first needs to form the committee and it needs to be defined including the number of members. Mr. Lally would suggest that Mr. Griffin make a motion that on this day the Board agreed to the formation of a 375<sup>th</sup> Celebration Committee and Ben Moore would be chair of the committee.

Mr. Griffin MOTIONED that on this day the Board agreed to the formation of a 375<sup>th</sup> Celebration Committee and Ben Moore will be the Chairperson. Mr. Lally SECONDED.

VOTE: 5-0-0

Chairman Nichols would like to make one more comment that he has provided the Board with the score sheet in regards to the proposed budget and warrant articles. He has added a few items to the list including Amanda from the library has informed him that they anticipate coming forward with a warrant article with a library media lines article roughly about \$25,000. He has also added the trash/recycling equipment which should be about \$279,000 a year impact. If everything on the list is done we are looking at 7.1% at this time. Therefore

this list will need to be paired down by the Board at sometime. He did point out that the Operating Budget is currently \$50,000 lower than the Default. If this is the case when the budget process is complete he would suggest that the mosquito amount from the warrant article be added to the budget and not have a warrant article for this.

## VII. New Business

### 1. Tax Collector Deeds

Mrs. Bennett provided the Board with an updated list. She explained that it is her job to provide the Board with a list of unpaid taxes on properties for the Board to decide if the Town is going to take the property for unpaid taxes. The deeds we are dealing with go back to 2007. She informed the Board that approximately 3 weeks ago she had 40 properties on the list. Within those 3 weeks they have narrowed it down to 4 properties that are still now unpaid. Therefore she is here to request that she gets an extension to the end of the month to try and collect 2 of the properties of which she has spoken to the property owners and kind of expected to have a check this week since they stated they are going to pay. The 2 properties she is asking for one in Hemlock Haven and the other on Drakeside Road. The property on Drakeside is in the process of foreclosure and the bank is going to pay taxes for 7, 8, 9 and 10. The Hemlock Haven property owner is going to pay '07 and begin the catch up process. The fourth property on the list has been condemned and the property owner asked the Town to take the property last year. The first property which is also in Hemlock Haven is asking to be put on a payment plan and the owners are here tonight to ask the Board for this.

#### Discussion

Mr. Znoj complimented Mrs. Bennett for putting together a very nice package.

Chairman Nichols MOTIONED to provide an extension until the end of September for the second and third items on the list. Mr. Znoj SECONDED.

VOTE: 5-0-0

Mr. Griffin MOTIONED to take the last property on the list. Mr. Bateman SECONDED.

VOTE: 5-0-0

### 2. Assessing Disability Exemption "Ellenwood" Yrs 2009 & 2010

Mrs. Bennett explained to the Board that essentially what the Ellenwood's would like to do is set up some sort of payment plan on the back taxes and to request an abatement for what they would have qualified for had the correct paperwork been filed for Disability Exemption for the years 2009 and 2010.

#### Discussion

Mr. Lally explained that the Board has a letter from Mr. Tinker stating that they have filed all the necessary paperwork for this exemption and they would have been eligible as of April 2009.

Chairman Nichols pointed out that there are two issues. One is to grant the exemption for 2009 and 2010. With the exemption amount owed for 2009 would be approximately \$354.90 and it would have wiped out 2010 completely. Therefore there is a substantial reduction bringing the amount owed down to roughly \$2,600.

Mr. Welch would suggest that the Board approve the abatement for 2009 and a late filing of the form for 2010 so that from this point on the Disability Exemption would be in place.

Mr. Lally MOTIONED to abate the Assessing Disability Exemption "Ellenwood" for 2009 as calculated by the Assessor and the approval of a late filing for 2010. Mr. Znoj SECONDED.

VOTE: 5-0-0

Chairman Nichols commented that the second piece would be the Board's approval to work out a payment plan for the remainder of the taxes owed. Atty. Gearreald commented that before the Board does this it is sort of unusual that you get to this point and then have a payment plan. The Board would not want this to occur very often. He understands these folks have worked with Michelle Kingsley to develop a schedule that they might be able to meet and he would just suggest that in light of the abatements that the Board has authorized that that be reevaluated for next week with a payment plan to be put in writing by Mrs. Bennett. He explained further that Salem has such a form and hopes it can be adapted for Hampton's use. If there is a default on the agreement the party would have to be re-notified before the next step can be taken. Atty. Gearreald would suggest that this Board approve the exact plan that is brought forward by the Tax Collector. Mrs. Bennett explained that she would need a deed waiver to satisfy the auditors. Mrs. Bennett will get this information together for the Board.

3. Adoption of Regulation of Pawnbroker and Secondhand Dealers – Postponed to 09/20/2010

4. Adoption of Town of Hampton Selectmen's Fraud Policy

Mr. Welch stated that the reason for the policy is that the auditors have commented on this for the past 2 years. Atty. Gearreald would like to point out under "security of evidence" on page 3 there is a reference to the auditor and would suggest that some further explanation be placed here. Atty. Gearreald would suggest that the language read "an auditor appointed by the Board of Selectmen."

Discussion

The Board agreed that the policy appeared to be very straightforward.

Chairman Nichols MOTIONED to approve the Adoption of Town of Hampton Selectmen's Fraud Policy as amended by Town Counsel. Mr. Znoj SECONDED.

VOTE: 5-0-0

5. Primary Schedule for Board of Selectmen

Chairman Nichols commented that there is a need to have a Selectman manning the polls at all times and Kristina has set up a schedule for the Board so that there would be 100% coverage. Everyone has received the schedule.

Discussion

Mr. Lally would only point out that on the schedule there is only 2 of them on at the end of the night and they do need 3 present to seal the record. Mr. Lally will try to make it with Mr. Bateman as the backup.

Other New Business

Mr. Griffin wants to know what the story is on all terrain vehicles going on the conservation land over off of Sherburne Drive. Mr. Lally stated that this is not allowed without permission and at one time there was a key that could be obtained from the Town Manager’s office. Mr. Welch agreed that this is not allowed and if residents are seeing this they should notify the Police and NH Fish and Game. As for hunting they should be 300 yards from a house.

VIII. Consent Agenda

1. 2010 Veteran Tax Exemptions

Annis, Percy Jr.; Basile, Anthony S.; Beaudry Paul C. & Mary; Begley, Edward T.; Bishop, Kenneth; Blech, Jerry A.; Blyth, Patricia M.; Bousquin, Dorothy & Charles; Boyle, Gary J.; Brace, Jackie H. & Kathy J.; Bragg, George J. & Mi Hwang Bragg; Breault, Joyce & Raymond; Brewitt, Ann B. & Carl; Bridge, Thomas J.; Brigandi, Alfred S.; Broderick, Richard A. & Doris; Brown, Agnes C. & Maurice; Burnham, Mary W. & Donald; Butler, Heidi & Donald; Buttrick, Barbara & Maurice; Byrne, Thomas; Cade, Jon; Cahill, Patrick J.; Calkins, Louise R.; Callahan, John M.; Callihan, Roy E.; Cameron, Kay; Cameron, Paul F. tr.; Campbell, Robert K. & Karen L.; Capaldi, Norma & Andrew; Cassidy, Edward; Cate, Bruce L.; Cerebek, Thomas W.; Chabot, Marion L. & Earl; Chaisson, Richard T.; Liebman, Arnold G.; Mucci, Nevins, Christopher F.; Pasquale A. & Phyllis G.; St. Germain, Keanine.

- 2. Hampton Cemetery Deed – Glen Webb
- 3. Parade & Public Gathering License – Hampton Beach Village District “Harvest Moon Festival”
- 4. One Day Entertainment License – Hampton Beach Village District “Harvest Moon Festival”
- 5. Resolution in Recognition of Service

Mr. Lally MOTIONED to move the Consent Agenda. Mr. Bateman SECONDED.

VOTE: 5-0-0

IX. Closing Comments

Mr. Bateman hopes to see a lot of people at the polls tomorrow.

X. Adjournment

Mr. Znoj MOTIONED to adjourn. Mr. Lally SECONDED.

VOTE: 5-0-0

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Chairman