

September 09, 2013

PRESENT: Richard Nichols, Chairman
Michael Pierce, Vice-Chairman
Philip Bean, Selectman
Mary-Louise Woolsey, Selectman
Michael Plouffe, Selectman
Frederick Welch, Town Manager

SALUTE TO THE FLAG

I. Public Comment Period (4:57)

Arthur Moody, 3 Thomsen Road, made the following comments: bench request for Bicentennial Park; last Monday meeting discussion on sewer work on Fairfield Drive; work that has not been done on Moulton Road which was on the warrant article list; crosswalk that was painted on Winnacunnet Road near the soccer facility and wonders who approved this; Founders Park brick walk that was put in by Boy Scout and hot top that was recently added by DPW. Chairman Nichols followed up on the comment made by Mr. Moody in regards to the bench at Bicentennial Park and how some of the benches were damaged in storm.

II. Announcements and Community Calendar (10:37)

Selectman Bean commented on the wonderful job by both the private and public sector on the Seafood Festival. He also commented on the fabulous job done by Police, Fire, DPW and the State this summer.

Selectman Woolsey commented on the excellent presentations on Channel 22 on Dams and 2 DVD's done by the Historical Society.

III. Appointments (12:03)

1. Donna Bennett, Tax Collector (12:09)

- a. Tax Deeding – Mrs. Bennett made comments as follows: down to 8 from 40; changes are highlighted on the list.

Selectman Woolsey MOTIONED to move that the Board not accept Tax Collector's deeds on the properties presented by the Tax Collector because in the Board's judgment, acceptance and ownership of the real estate would subject the Town to undesirable obligations or liability risks, or would be contrary to the public interest, and that the Board sign the 8 deed waivers and 2 property tax payment agreements presented by the Tax Collector for non-payment of the 2010 taxes SECONDED by Selectman Plouffe.

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Chairman Nichols commented that he feels that taking these properties is not in the best interest of the Town and went through some of the reasons why.

VOTE: 5-0-0

2. Dyana Martin, Parks and Recreation Director (14:31)
 - a. Departmental Update

Mrs. Martin made comments as follows: garage at Tuck Field has been painted; work that has been done on the fields; picked up and stored Lifeguard equipment; work done to prepare for the 375th event and other work done at the event; work on hockey rink; volleyball courts that were set up; parking lots opened early this year; parking lot revenue up so far by over \$100,000; how lots have been cleaned daily; about 10 more concerts; recreation events and sign ups that are taking place; scheduling trips for next year; fitness classes; going back to fall/winter schedule; trips and camps that were implemented over the summer; NY day trip in November; other upcoming trips; events that Recreation offered during the 375th event; flag football drafts and games have started; upcoming classes and camps; lifeguard season has finished up; ended up with 6 lifeguards at the end of the season.

Board Members Woolsey, Pierce, Nichols and Bean made comments and asked questions which were addressed by Mrs. Martin: asked for an update on the bathrooms in the Town Parking Lots; Mrs. Martin explained that there are bathrooms at Island Path and Ashworth but not Church Street; conversation Selectman Woolsey had with DOL in regards to bathrooms being available to employees; read through some RSA's in regards to sanitation facilities; Christmas tree lighting and theme is Vintage Christmas; details on the lobster bake trip; Kids Kingdom sanded and stained questioned the quality of the work that was done; if bill has not been paid yet might want to consider having it redone; discussion on who came down originally to investigate the playground; other members of the Board disappointed with the work done at Kids Kingdom but splinter problem has been addressed; suggestions on what can be done if work needs to be done in the future to this playground; possibility of replacing the playground in pieces as opposed to the whole thing at once; thanked Mrs. Martin for the work she does for the Town; conversations had with tourist in regards to recreation in Quebec; steps at Plaice Cove problem with the first step being so high and possible repairs that can be done.

Selectman Woolsey MOTIONED to direct the Town Manager to see to it that the approximately \$700 estimate to install a bathroom facility at the Church Street Lot location be done ASAP this year SECONDED by Selectman Plouffe.

Discussion on motion

Chairman Nichols would suggest that a proposal be put together for the Board to come back during the budget process.

Mrs. Martin whole heartedly agrees that there should be a bathroom and mentioned discussions that they have had on this in the past.

Selectman Pierce commented that this is not Town land and should be dropped.

VOTE: 1-4(Plouffe, Pierce, Bean, Nichols)-0

3. Chief Silver, Fire Department (36:23)
 - a. Beach Fire Station

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i. Request for change order and authorization to expend funds from the 2012 Fire Station Warrant Article

Chief Silver made comments as follows: explained how they ended up where they are now; starting back at the warrant article and bid process; original contract established at \$5,036,731; now have reached the point of substantial completion where the funds he has remaining in his owner contingencies feels comfortable using these to add in some of those items that were removed; in order to do this there has to be a change order which becomes an amendment to the contract; two items to be added back in are a generator for Brown Ave station and the other is coating the apparatus floor; explained both of these items in detail for the Board; this adds \$84,129.60; asked Board to authorize the Town Manager to sign the change order; new contract total would be \$5,128,031.60.

Selectman Woolsey MOTIONED to move that the change order for Eckman Construction Company Inc. job#368 change order #00002 be authorized to add the \$84,129.60 for the two additional functions the Chief has just stipulated and the total contract then will be increased to \$5,128,031.60 SECONDED by Selectman Plouffe.

Discussion on Motion

Selectman Pierce asked about: money not being utilized yet; Chief Silver went through a breakdown of money and costs that came out of the owner portion of the total building expense; concerns with making sure there is enough money likes to have a little cushion.

VOTE: 5-0-0

IV. Budget Reviews (42:53)

Chairman Nichols asked if any Selectmen would like to make comments before they begin.

Selectman Pierce made comments as follows: tax payers are in for a surprise with 2 fire stations and a pumping station coming on; try to keep everything to a bare minimum; be as conservative as they possibly can be; don't want to drive people out of their houses; raises need to be limited to a maximum of 1% for any non-union; this will match the union contracts.

Selectman Woolsey made comments as follows: does not think they should spook the public like that; job to make sure necessary projects get done in this community; will be providing the press with a copy of the information Mr. Nichols brought forward on the relative tax rates for communities our size in the State; do quite well for the huge array of services we provide; stop kicking the can down the road.

Chairman Nichols read a prepared statement for the Board touching on the following: would like to provide an overview and agree on the process going forward; 8 years of essentially flat taxes; taxes will rise in 2014; showed a graph of taxes going back to 1992; provided a breakdown of the increase for 2013, 2014, 2015 and 2016; revenues in 2013 will keep taxes artificially low primarily from the LGC refunds; provided a breakdown of the 2014 Municipal property tax forecast; 6 collective bargaining agreements being negotiated are not yet factored into the 2014 forecast; Town Manager's proposed Operating budget is 61% increase over 2013; broke down the major drivers of the 2014 budget which included Fire station bond, Retirement benefits, Health Insurance, DPW, addition of Fire Inspector; these five items account for \$1.2 of the \$1.5M proposed increase in the Operating budget.

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Selectman Woolsey followed up with: what her tax bill was when she moved to Hampton in the 60's; a lot of building in Town; Planning Board who refuses to enforce impact fees; sewer lines that need to be replaced; does not want to get the public all hysterical.

Selectman Bean made comments as follows: great employees; great tax payers; article in the Wall Street journal; tipping point to how much we can bend; thank you to the employees; thankful of employees and taxpayers when working through this budget; changes in the health system; mandated coverage that is coming; look at NH Retirement System and annual report; do not have a handle on the liability in regards to NHRS; we are in this together; LGC has been under fire; LGC has paid every client for every illness to our employees; relationship with the State and need for a conversation with the State in regards to cost to the Town; Department Heads should be aggressive in what they need.

There was a discussion on how the Board would like to go through and review the budget. It was agreed that they would have an overview by the Department Head and would then discuss any items that Selectmen bring up.

The Board decided to start with Town Clerks budget and save Fire budget for last.

1. Town Clerk (1:04:08)

Mrs. Marzinik made comments as follows: 6.6% increase; more elections in 2014; increase in Town Clerks salary to match up with union members in department; her raise is a year behind union members and explained why; will need to add to computer support line item \$119 since just found out about increase they will have with software company; voting booths replacement and an increase of \$300 that needs to be made.

Selectman Pierce made comments as follows: concerned with the 3% increase in her wage; Mrs. Marzinik explained in detail the raise that she did receive but it was a year late; Chairman Nichols explained that cumulative teamsters have received a 3% increase total; Mrs. Marzinik explained further how she is the lowest paid Town Clerk in the area and provided further justification on why she put in for the 3% increase including additional revenue the Town will be seeing. Chairman Nichols expressed that this is an awkward situation since she is an elected official and he thinks she does a great job; 2 options one is to let any elected officials raises go through to Budget Committee and the other option is to limit all raises to a maximum of 1%.

Selectman Woolsey mentioned a time when the Town Clerk would submit a warrant article to the public directly in regards to a pay increase, not suggesting it, just mentioning that is what had happened in the past; happy to leave elected official raises as submitted to go the Budget Committee.

Selectman Plouffe suggested to leave it as is, and let is to go to the Budget Committee for review.

Selectman Bean asked if they are making adjustments to this budget and if so, is there a motion to do this.

Selectman Pierce MOTIONED to restrict raises in this budget limited to 1% that are not bound by union contracts SECONDED by Chairman Nichols.

VOTE: 3-2(Woolsey, Plouffe)-0

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Chairman Nichols explained that Mr. Schwotzer will make an adjustment in the Town Clerks increase from 3% to 1%.

2. Parks and Recreation (1:23:29)

Mrs. Martin made comments as follows: only changes made were for salaries; lowest on the beach for parking lot salaries; management salaries and hopes to have a discussion in the future with the Board; everything else is status quo; supplies and maintenance for the Office hopes to lower in the future; lifeguards put in at same salary; shows a reduction in the fund due to not being able to hire enough lifeguards this season. This is a wildcard cost.

Selectman Pierce made comments as follows: discussion last year about the people who worked in the parking lots; adjusting salaries from \$8.50 to \$10 per hour; amount spent on lifeguards this year compared to the amount in the budget for 2014.

Chairman Nichols went through some past amounts budgeted and spent on lifeguards.

Chairman Nichols MOTIONED to leave the lifeguard account for 2014 flat at \$18,000 SECONDED by Selectman Pierce.

Selectman Plouffe pointed out the following: that by leaving the budget flat they are restricting her from increasing the number of lifeguards and compared this to what happens with police specials; if don't have the money she can't hire the help; if take money out then she has no option, then she cannot hire the needed lifeguards.

VOTE: 3-2(Plouffe, Woolsey)-0

Discussion on Parking Lot budget

Mrs. Martin stated that the rate change proposal for parking lot employees is to be comparable with other places on the beach.

Selectman Woolsey made comments as follows: this is the kind thing of nit picking that drives her nuts; it is an insult and Mrs. Martin's proposal is absolutely proper.

Selectman Pierce made comments as follows: good argument for changing rate from \$8 to \$10; not sure about an increase to \$12; believes there may have been a promise last year to change the rate to \$10.

Selectman Pierce MOTIONED that they change the parking lot attendant's rate of pay to \$10. Motion failed for lack of second.

Chairman Nichols commented that the Town Manager submitted a flat budget as opposed to the budget submitted by Mrs. Martin.

Mr. Welch made comments as follows: provided history on raises to these employees; they received raise last year; not giving this type of raises to other employees; need to do some research on this prior to making changes.

Selectman Woolsey made comments as follows: people who really need a job; brought up the amount of revenue they bring in (half a million dollars) and they should get a raise.

Chairman Nichols made comments as follows: feedback he received from other business owners on the rate increase given last year; seemed reasonable from what private parking lots were paying; 29% in wage increase is not acceptable; does not see the relationship between what you pay an employee in comparison to the amount of revenue taken in.

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3. Fire (1:45:14)

Chief Silver made comments as follows: budget increase a little over 4.5% of that amount, 1% relates to overall lines across the budget; most significant change is in regards to the position for Fire Inspector in Fire Prevention Bureau with a cost of a little over \$100,000.

Selectman Pierce made comments as follows: overtime wages for Seafood and the fact it is reimbursed; training and recruitment was changed back by the Town Manager from what the Chief was asking for.

Chief Silver commented about the need to do some have more meaningful training and explained in detail; Chief Silver is comfortable with the adjustments made by the Town Manager; he can address what he needs to.

Selectman Pierce is concerned with reducing the funding for maintenance on vehicles; Chief Silver commented on the tremendous amount of work he has put into vehicle maintenance since he became Chief.

Selectman Pierce MOTIONED to restore the Chief request on the vehicle maintenance budget line 4220.6.660 back to \$116,600 SECONDED by Selectman Woolsey.

VOTE: 4-1(Bean)-0

Selectman Woolsey made the comment that training needs to meet ISO for insurance ratings; mentioned that it was the Budget Committee who put the 4 fire fighter positions back into the budget in 2005. This is a well-crafted budget.

Chairman Nichols made comments as follows: overtime requested for fire suppression and the Chief explained in detail this line item; Chief Silver also explained how the overtime was spread over several categories; Chief Silver explained sick leave coverage and how overtime is budgeted for this and vacation line item; money being moved over to the revolver; electric going up by \$7,200 and curious where this comes from and it is in relation to the larger buildings and there electric demands; building maintenance still at same level with two new buildings and would think it could go down; Chief Silver went through the description of the line items in this area and relation to preventative maintenance; repairs to old buildings now can go into preventative maintenance of the new buildings.

Discussion on Fire Prevention and addition of fulltime Fire Inspector position

Selectman Woolsey made comments as follows: talking about the restoration of a position; sees no logic why the Chief should be going around and doing inspections himself; 100% in support of this position; how over worked Scott Steele is; revenue being brought in from all the new construction; in support of this new position.

Selectman Bean made comments as follows: in support of this position; community of commerce; Fire Department gets jammed up; thanked Chief for putting position in budget.

Selectman Pierce made comments as follows: no debate that Hampton is doing great; really start rolling at the beach on Memorial Day and it rolls until about Labor Day; problem with how there is a rush at this time since everyone wants things done at the last minute; people will always wait until the last minute; everyone is busy at beginning of season; willing to listen to a proposal to hiring a part time person.

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Selectman Bean commented on how he originally felt the same way as Selectman Pierce but he has spoken with the Chief and Town Manager and supports the full time position.

Chairman Nichols made comments as follows: this is a \$140,000 increase in the first year; provided a breakdown on the increase including cost of vehicle; double hours; go with a part timer for 52 weeks roughly \$40,000; thinks the problem could be solved at considerably less expense than a fulltime person; use existing resources through CBA negotiations; went through how this might be done; does not support fulltime position; would support part time or something worked through the unions; incoming call volume supports seasonality; health insurance and NHRS exactly same in operating and default, Mr. Schwotzer will look into this; only additional fulltime person in the entire budget.

Selectman Woolsey and Nichols made additional comments as follows: regarding seasonality, would challenge anyone to go into the Building Department and have him walk you through the inspection folders; this is a vital job in the Fire Department; problem with no one wanting to hire a fulltime position; having someone do this as part of their job as a firefighter; down eight firefighter positions; only having 3 firefighters on duty at the beach during the summer is disgusting; this position is not a seasonal need; the Chief and the Department needs this critical position; in regards to the vehicle for the Fire Inspector, why need to spend \$35,000; the cost of vehicles of the Building Department was less; the amount includes the specialized fire equipment; amount seems a little excessive; asked them to look into the cost a little deeper before the Budget Committee.

Selectman Bean MOTIONED to approve the Fire Budget as presented along with the amount added back in under vehicle maintenance SECONDED by Selectman Woolsey.

Chairman Nichols pointed out that he is going to vote against this simply because he thinks they should be doing more investigation of alternatives.

VOTE: 3-2(Nichols, Pierce)-0

V. Approval of Minutes (2:21:03)

1. August 26, 2013

Page 3, 2nd paragraph, last line add the following after the word “bonds” “no, the interest rates have gone up.”

5th paragraph, 2nd line add the following after the word “\$.25” add “cents, to \$7.00 per thousand”

Page 5, 1st line add after the word “less” “than 80 DB”

Page 6, 2nd paragraph, 3rd line add “multi-item” before the word “purchases”

Chairman Nichols MOTIONED to approve the minutes of August 26, 2013 as amended SECONDED by Selectman Pierce.

VOTE: 5-0-0

2. September 03, 2013 Public Session

Chairman Nichols MOTIONED to approve the minutes of September 03, 2013 Public Session SECONDED by Selectman Woolsey.

VOTE: 5-0-0

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3. September 03, 2013 Non-Public Session

Chairman Nichols MOTIONED to approve the minutes of September 03, 2013 Non-Public Session as amended SECONDED by Selectman Woolsey.

VOTE: 5-0-0

VI. Town Manager's Report (2:26:26)

1. The Board and our residents of Hampton are invited to attend the rededication of the Global War on Terrorism Memorial Monument at the American Legion Hall, 69 High Street, Hampton at 6PM on September 11, 2013. Governor Hassan and Maurice Anderson, the National Commander of the American Legion will be in attendance.
2. The Town has received its share of the 2010 return of surpluses from the Property Liability Trust in the amount of \$89,274.91.
3. Work continues on the Church Street Pumping Station. Wall steel has been installed from an elevation of -3.00ft to 9.83ft, and the Wall forms installed for pouring concrete to elevation of 9.83ft. The stairwell and pump room walls are being formed.
4. Work on both the Fire Stations is progressing. The Winnacunnet Road Station is on hold for the installation of telephone facilities, once those facilities are installed the dispatch center will be relocated there and staff can move in to the new facility. The Beach Station is moving quickly with the outside nearly finished.

Mr. Welch added the following items: request from Art Gopalan use of electronic sign for the 4th Annual Art Walk on October 4th they have used sign in past; DES WWTP order has been removed all work has been completed; landfill monitoring bid has been awarded to Cardno ATC; discussion amongst Board on the fact that they did not receive an email on this bid and it should not have been awarded without the Board having received the email; in future email should ask for response that email has been received; CBDG Sleepnet loan is going to be repaid and Town needs to sign off on this no obligation to the Town.

Selectman Woolsey confirmed with Mr. Welch that as soon as dispatch moves to Winnacunnet Road it will then become Station 1.

Selectman Pierce asked about the construction being stopped on the station, it was explained that the move was cancelled based on problems with phone system installation.

VII. Old Business (2:35:03)

1. Aquarion Water Company (2:35:15)
 - a. Recovery of Rate Case Expenses

Atty. Gearreald made comments as follows: have been opposed to rate increase; hired an expert to contest the return on equity being sought by Aquarion; PUC at end of July came out with a decision that granted a lower return on equity; not exactly the amount the Town asked for; applicants must within 30 days present rate case expenses; asked for rate case expenses of \$326,000; broken into several categories attorney fees, expert fees for Aquarion's expert, staff time and notification fees; Town and PUC opposed the expert costs of \$40,000, PUC accepted our cost for expert cost of \$20,000; data request sent out by PUC staff; Aquarion voluntarily lowered the rate case expenses by \$100,000; asking for Boards authority to

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comment about this to the PUC; recommends that the Town go along with this rate reduction and explained why.

Selectman Woolsey MOTIONED that they authorize Atty. Gearreald to submit an appropriate response at his discretion confirming that they accept this offer and greatly appreciate the gesture from Aquarion SECONDED by Selectman Bean.

VOTE: 5-0-0

2. West Side Sewer Project (2:41:01)
 - a. Recommendation for Award

Mr. Welch made comments as follows: bids opened; Jamco Excavators low bidder for \$321,902.25 for Perkins and Auburn Ave sewer replacement; the Auburn Ave Ext. and several others were put in as an alternate; bid is only for the two streets; balance available for construction is \$371,429.29; additional amount for Auburn Ave Ext. is \$67,980; not enough money to do Auburn Ave Ext.; other issues with Auburn Ave Ext.

Questions on the following were asked by the Board members: the \$50,000 left after doing the work on Perkins and Auburn Ave; where the money is coming from to do the paving. Mr. Welch stated the paving will come out of the \$50,000 and it will probably use all this money. Auburn Ave Ext. intersects Perkins and Auburn Ave. Bids are good for 60 days. There was a discussion on Aquarion paying 10% of cost of paving; concerns with if the Town is responsible for Auburn Ave Ext.; cost increase if this is not done at the same time; discussion on the other streets on the westside that potentially have to be done; what does it do to the flow if Auburn Ave Ext. is not done; need to ask Aquarion if water lines need to be done first on the other westside streets.

Selectman Pierce stated the question is do we only do the two streets now or if Auburn Ave Ext. should be added and done now.

Atty. Gearreald made comments as follows: Auburn Avenue Extension is a private street going back to 1915; what would have to be done to get the easement done; likely pipe was put in by a private developer; have a problem as the Town does not own the street, does not own the pipe; probably not obliged to maintain the pipe; issues that arises with betterment assessments, who issues the betterment assessments, the authority must come from Town Meeting

Chairman Nichols thinks another major issue is the westside streets are not on the radar anywhere in regards to sewer replacement; these streets are not even on the CIP or anywhere; there is no plan.

Selectman Woolsey stated that is why she is opposed to the CIP; lack of planning of previous Department heads.

Selectman Pierce MOTIONED to approve the bid award of \$321,902.25 to Jamco Excavators. Motion failed for lack of a second.

Chairman Nichols suggested that this be put on the agenda next week and hopefully have answers from the legal perspective and DPW Director.

Selectman Woolsey commented this is why she is opposed to having budget reviews on the same night as a Selectmen's Meeting.

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3. Recycling Rates (2:58:42)

Selectman Woolsey made comments as follows: have to focus on increasing recycling rates; need to enforce recycling in this community; working with Fred on a draft in regards to enforcement with some help from Atty. Gearreald.

Selectman Bean made comments as follows: wonders where this came from; questioned why is Selectman Woolsey working with Town Manager and Atty. Gearreald; sounds awfully authoritarian; spoke about the other department heads and staff involved; amount of time Mr. Welch and others have spent on this, how much time is it this taking from their other work.

Selectman Woolsey clarified that she has been working on amendments to the Solid Waste Ordinance; with fine.

Chairman Nichols made comments as follows: Solid Waste Ordinance is part of the warrant article list; if going to make some major directional change such as proactive enforcement, this would merit a discussion at the Board level; Board in the past did not wish to go down the path of enforcement; will put this on the agenda for a future discussion.

Selectman Woolsey asked the Board to focus on the memo from Mark Richardson in regards to recycling.

There was a discussion on revenue and the Town currently is not receiving any revenue for recycling from Ecomaine.

This will be put on a future agenda.

4. 2014 Warrant Articles (3:04:45)

Chairman Nichols commented that the Board has received an updated list from Kristina.

VIII. New Business

1. Road Salt Purchase under NH State Bid (3:05:04)

Selectman Woolsey MOTIONED to APPROVE the Road Salt Purchase recommended under NH State Bid SECONDED by Chairman Plouffe.

Chairman Nichols made comments as follows: believes we were paying more; were paying around \$59 a ton, the new amount is \$48.37 and the DPW budget should be able to come down.

VOTE: 5-0-0

2. Ciancio Dog Warrant Fee Waiver Request (3:05:51)

Selectman Woolsey MOTIONED to DENY the waiver request on grounds that the Board does not have any authority to grant a waiver, and that the dog's being listed on the warrant was not in error SECONDED by Selectman Pierce.

VOTE: 5-0-0

3. Energy Commission (3:06:29)

a. Member Vacancy

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Anyone interested can send an email or memo to Kristina. Board thanked Dick Desrosiers for his service on this committee and requested that a letter be sent from the Town Manager's Office with all their signatures.

IX. Consent Agenda (3:07:37)

1. Hampton Arts Network (HAN)
 - a. Raffle Permit – 09/10 and 10/04
 - b. Permit for Use of Properties of the Town of Hampton “HAN Artwalk 2013”
2. The James House Association
 - a. One Day Entertainment License – 09/21/2013
3. Memorial Bench Request
 - b. Bicentennial Park – “NaNa Pollard”

Selectman Woolsey MOTIONED to MOVE the Consent Agenda SECONDED by Chairman Nichols.

VOTE: 5-0-0

X. Closing Comments (3:08:18)

Chairman Nichols commented that they will be holding a budget discussion meeting on Thursday at 7 pm.

XI. Adjournment (3:09:21)

A motion was made by Chairman Nichols to go into a non-public session under RSA 91-A:3,II,(a), this motion was seconded by Selectman Woolsey. A roll call vote was taken, and all 5 Selectmen were in favor.

Selectman Pierce MOTIONED to adjourn at 10:05 PM SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Chairman