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September 16, 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 Hearing (5:46)

1. Under the provisions of RSA 41:9-a Establishment of Fees. To amend the tipping fees at the Town's Transfer Station up to .07 cents a pound in order to recover the Town's costs of providing said services.

Mr. Welch explained the reason for the public hearing to amend the tipping fees, it was previously approved by the Board but was inappropriately done and a public hearing is required.

Chairman Nichols clarified that this does not include residential trash.

Bonnie Searle, 16 Penniman Lane, questioned the notice saying up to .07 cents per pound; wonders how accurate the scales are; questioned if the scales are certified by the State.

Mr. Welch explained it is .07 unless the Board determines otherwise, and the scales are inspected and the scale operators are certified by the State.

Art Moody, 3 Thomsen Road, made comments as follows: when the Selectmen were given permission to set the fees; first time he has heard about a public hearing not having a back and forth.

Chairman Nichols MOTIONED to AMEND the tipping fees at the Town's Transfer Station to .07 cents a pound in order to recover the Town's costs of providing said services SECONDED by Selectman Pierce.

VOTE: 5-0-0

II. Public Comment Period (11:54)

Arthur Moody, 3 Thomsen Road, made comments as follows: like to comment on what's going on in the social media about the fees at the Seafood Festival; how it started without fees; overload at the beach; many of vendors from out of Town; money raised by

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charitable organizations is distributed to Hampton as well as other surrounding Towns; he feels the Town should benefit more from this event.

III. Announcements and Community Calendar (16:03)

Selectman Bean commented on: commended the Town for the effort that was put into the Seafood Festival; spoke about security for these types of events may be in need of additional attention; fine job by all those that produced this event; Reach The Beach event this past weekend; Above The Rim next to the soccer arena.

Selectman Woolsey is still pleading to the public to watch the wonderful videos on dams and Historical Society available on Channel 22.

IV. Appointments

1. Major Michael Sanders, USAF (18:36)

a. Transition to the new KC-46 Boeing 767 at Pease Air National Guard Base

Major Sanders and other members of the Guard were present and made comments as follows: discussed who each of them were and what they do; if have any concerns they can express them.

Board Members Woolsey, Pierce, Bean and Nichols made comments as follows: thanked them; additional aircraft that might be coming; will this be strictly for refueling; explained how older aircraft will be phased out; love having them here and appreciate all of them; Hampton was probably one of the ones that benefited the most from Pease; a lot of houses relate directly to Pease; discussion on infrastructure in hangers and runway repairs that will take place; if 707 looks similar to commercial 707; talked about fuselage; how far do they go for refueling; please offer thanks to their Commander. They also talked about the great support on the Seacoast.

2. Keith Noyes

a. Gristmill and Old Mill Pond Dam (27:46)

i. Purchase of Residential Property/FEMA Hazard Mitigation Grant/Town Local Match

Mr. Noyes and Mr. Jacobs made comments as follows: reminded everyone about the letter of deficiency Town received in regards to the dam; spoke about house that was built to close to the dam; how if the house is removed might be able to repair the dam for smaller amount; spoke about a grant opportunity which would cover 75% of cost to buy and remove home; stated the things he has done so far in regards to pursuing this grant; applications are due by October 7th; cost to Town would be \$80,000; this is an opportunity to help with the cost of repairing/saving the dam; not asking for approval tonight; will need to hold a public hearing to submit the grant application.

Board Members Woolsey, Pierce, Bean, Plouffe and Nichols made comments and asked questions as follows: when can we decommission the dam; in favor of decommissioning the dam and possibility of grant to do this; won't know what the Town is going to do until we have warrant articles; public meeting that will be held with engineer and all abutters and interested parties; cost for option to restore/repair and decommission the dam; work that needs to be done; will not even consider lowering the class of the dam with the house there;

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if submitting a grant application have to know Town has the money; mechanics of how they would do the \$80,000; would property owner have any land value left and would it be included in the grant; different options for the house; in favor of what Keith is trying to do; lesson to be learned about where Town is allowing houses to be built; is house still in the picture as a problem if they decommission the dam and it is not; history of Tuck Gristmill; historical significance to the Town; urge Mr. Noyes to continue on this course; if house is removed and ground is leveled Town would keep the lot; three factors in the State's decision on the mill; what happens with lowering the classification of dam; dam has been ruined by neglect; discussion on the cost; assessed value of property is \$322,000; \$400,000 is just an estimate; cost of \$80,000 and need to have targeted money prior to submitting an application; possibility of using a warrant article, removal of \$100,000 from surplus once approved by Budget Committee; money must be earmarked; when will we reach the point of being able to decide if we will repair or remove dam; there will be a meeting on October 21st; decision will be up to the Board; should probably have 2 warrant articles to decide what should be done; conceivably a decision could be made in November; on October 7th the Board would have to decide if they want to submit an application; however the Board will not have the cost estimates until October 21st; if Board agrees to decommission the dam then they will not have to worry about this whole grant process; Board needs a legal opinion on what they might be committed to with this FEMA grant; Mr. Welch will work with Atty. Gearreald and get back to the Board.

b. West Side Sewer Project

i. Recommendation for Award (51:02)

Mr. Noyes and Mr. Jacobs made comments as follows: recommend award the bid to the low bidder Jamco Excavators in the amount of \$321,902.25; replacement of sewer on Auburn and Perkins Ave.

Board Members Woolsey and Nichols made comments which were addressed by Mr. Noyes and Mr. Jacobs as follows: concerns with Auburn Ave Ext; if doing Auburn Ave why would you not want to do Auburn Ave Ext at the same time; cost of \$67,000 to do Auburn Ave Ext; hope is to be able to do Auburn Ave Ext; not enough money budgeted to do the extension; discussed all the cost in detail; \$321,000 for the two streets does not take into consideration the cost to pave the street; bid broken up with a number of different options; how inefficient is it to go in at a later date in conjunction with the balance of the other streets; if thrown on with another project it could come in at a similar cost; to do completely alone at a later date the cost would be higher; the only hindrance would probably be dewatering; discussion on how dewatering effects a project; cost is reflective of having dewatering in the same neighborhood; talked about sewer lines in this area.

Atty. Gearreald made comments as follows: 1915 plan laying out this area; Auburn and Perkins Ave public ways; first need to know if we own the sewer line; Auburn Ave Ext sewer line is probably a Town owned line; discussed the warrant article in 1948; if publicly owned line even if private owned street what happens; would need an easement; deeds in the area; a lot more scouting to be done to find out who the actual owners are; statutes on betterments; in order for Board to make betterment assessment they would have to adopt the chapter.

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Chairman Nichols questioned with based on what Atty. Gearreald has found we would be able to attempt to get easements. Since this is true they are basically looking at the \$68,000 as the question if they want to do Auburn Ave Ext. He provided a breakdown on how this cost affects the budget. Chairman Nichols would suggest that they have the Manager go back and find a place where this money can come from.

There was a discussion on the breakdown of cost for this project. They have overcome the legal obstacle.

Chairman Nichols MOTIONED conditional on some sort of effort by the Manager, DPW Director and Finance Director to come up with the money that they proceed with approving not only the base bid of \$321,902 with also alternative 1 for Auburn Ave Ext of \$67,980 SECONDED by Selectman Woolsey.

There was a discussion on obtaining the easements.

VOTE: 5-0-0

Chairman Nichols asked about the following: westside streets that still need to have similar work done; bid of around \$800,000 to \$900,000 for the remaining streets; all these streets go back to a 2002 infrastructure project; when looking at the CIP you do not see the rest of the westside streets; why are we moving forward on Exeter Road prior to completing this project.

Mr. Noyes made comments on how and when you receive funds for these types of projects; uses for roads; why you need to replace sewer lines in a certain area; talked about the I&I study; more cost effective to replace the sewer; cost to replace all the sewer at the beach; westside streets are not all that is left at Hampton Beach that needs to be done; need to give the cost effective scenarios; possibility of getting a SRF bond to complete all needed work at the beach; prioritization from the I&I study; information will be available sometime during 2014; draft report in July and then a few weeks to finalize it; this will allow to have something done in 2014.

Selectman Pierce asked about looking into sewer on Exeter Road and a report will be given to the Board.

V. Budget Reviews (1:20:43)

Chairman Nichols made comments as follows: Board has received the changes the Board has made and Mr. Schwotzer has updated; added \$23,000 to the budget; \$17,400 is related to health insurance for Fire Inspector position; \$405,000 over the Default Budget; have not passed an Operating Budget higher then Default since 2003; provided some history on budgets passing; need to be cognizant of this; the higher the Operating Budget is the less chance of passing.

Selectman Woolsey made comments on how when Barrington was Town Manager items were buried in warrant articles in order to keep budget amount down.

Selectman Pierce commented with the Operating Budget being \$400,000 over Default Budget and it will not pass. He would suggest that they go back and reexamine some of the decisions that the Board has made.

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Selectman Woolsey shared some information that she and Selectman Plouffe have drafted in regards to DPW Department including their primary conclusions as follows: Capital Reserve Fund for 2014 areas that have been identified that can be cost effective; address communal property; Selectman Plouffe went through a detailed discussion on the sweeper and the type of sweeper they are looking to buy.

Chairman Nichols commented that the stuff they have put together is good but he would prefer that in the future items like this be given to the Board so that it can be put on as an agenda item. We can go back to this tonight or at a later date.

1. Public Works (1:32:52)

Mr. Noyes and his staff made comments as follows: appreciates what they are saying about how the system works in regards to the Budget and Default Budget; big portion of DPW budget is an unknown because of snow removal; overtime within Transfer Station and snow removal causes him to feel a lot of pressure; instructed staff to only spend on essential purchases; going into 2014 tried to account for some of the shortfalls in the budget; if directive is to come in with 0% budget then he will comply; he was under the impression they were to come in with a budget that works for their department; when suggested cutting hours at the Transfer Station he was meant with opposition from some members of the Board; problems with signs throughout Town and how that is accounted for in next year's budget.

Chairman Nichols made comments as follows: fine with what he came in with for a budget; it is \$150,000 over; two pieces Highway and Municipal Sanitation; Board will ask questions for Highway and then follow with Municipal Sanitation.

There was a discussion amongst the Board in regards to what would be discussed tonight and if it would include highways, municipal sanitation and rolling stock.

Selectman Bean MOTIONED that they stick to discussions on line items in the budget only SECONDED by Selectman Pierce.

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

Selectman Pierce asked questions and made comments as follows which were addressed by DPW staff: overtime on page 93 and it is split between highway and sewers; reorganization makes it difficult to follow the budget; Chairman Nichols shared some facts about overtime across all DPW accounts increased from \$158,000 to \$184,000 which is a 16% increase; Chairman Nichols pointed out that overtime excluding the Transfer Station is only 3% increase; vehicle maintenance up 52%; Mr. Noyes pointed out that he put \$25,000 back in when they assumed the responsibility of other departments Fire, Police, Building and Recreation; credit that they will be getting from offsetting credit from these other departments; second fulltime mechanic; more request from departments to do work; money taken out to finish up Fairfield Street and he is very upset about this; Budget Committee cleaned the budget out for this line item and now it is not back in the budget for 2014; Chairman Nichols confirmed that they are talking about Fairfield, Ruth and Belmont and funding required is \$86,000; sidewalk maintenance line item; need to take the money and spend it on sidewalks; increase in electric bill of 1%; Chairman Nichols shared his approach to the electric accounts and knowledge Dick Desrosiers has and will share with the Board at

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the Budget Committee level; there may be opportunities in the electric accounts; contracting out for electricity.

Selectman Woolsey asked questions and made comments as follows which were addressed by DPW staff: we cannot continue to express negativity to the public; need to show the public what we need to run; vehicles that are deteriorating; short a mechanic at the current time; not funding this department so that it can run; paving and reconstruction should be a normal function of this department each year; wants to see an amount in this line item that reflects amount needed to do the job; need to be beefing up the Capital Reserve Fund for roads; feels public will vote for something logical and express that we put our best foot forward.

Selectman Woolsey MOTIONED to place a minimum of \$200,000 on the paving and reconstruction line SECONDED by Selectman Plouffe.

Discussion on motion

Selectman Pierce commented that if we can find someplace else to take it out of in this budget then he is all for it.

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

Selectman Woolsey asked questions and made comments as follows which were addressed by DPW staff: Town wide tree services; have trees all around Town that need work; any expectation on money that will be spent on trees; cost to take down a tree; sidewalk reconstruction and document prepared by Mr. Znoj during his tenure as Selectman; traffic light repairs no money in budget; starving this department and it is not going to work over the long run.

Selectman Bean commented that the editorializing by Selectman Woolsey and the profanity is not professional, can we stick to the lines in the budget and motions.

Selectman Plouffe asked questions and made comments as follows which were addressed by DPW staff: asked about the paving and reconstruction and drop down to cleaning and maintenance discusses resurfacing, patch and crack sealing; how a past DPW Director asked for more money in this line for smaller repair jobs; this was carried for a few years; expressed why he thinks that the paving and reconstruction line item has been cut so much; money in this line item should be removed and placed in paving and reconstruction line item; Mr. Noyes stated that every bit of money he is given for paving and reconstruction will be spent on roads; Mr. Noyes shared his opinion on crack sealing and how it is hard to find a company who does this right, problems he has with patching, he would like to go back and get Fairfield, Belmont and Ruth.

Selectman Bean asked questions and made comments as follows which were addressed by DPW staff: great job by his department; never going to be enough money to do what they want to do; second oldest State; MS-7 from 2000 compared to current 3x the average of a 13 year historical rate increase for the Public Works Department; come forth and fight for budget; 3.14% increase.

Chairman Nichols asked questions and made comments as follows which were addressed by DPW staff: asked for a brief breakdown of where the money is spent under storm water requirements; Mr. Jacobs provided the breakdown of this account for the Board; this is a

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State mandate and how will it be dealt with if we have a Default Budget; salt budget and confusion between budget and memos sent to Board in August; appears to him that salt budget can be reduced to \$70,000 based on lower rate.

Chairman Nichols MOTIONED to lower the salt budget to \$70,000 SECONDED by Selectman Pierce.

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

Selectman Woolsey asked how many miles of roads does Hampton maintain and the answer from Mr. Noyes was 77 miles of road. Chairman Nichols believes there are about 13 or 14 miles of road that are State roads. Chairman Nichols also commented on the pavement management plan and had Mr. Noyes go through some information in this plan.

Discussion no Municipal Sanitation part of DPW budget

Selectman Pierce made comments and asked questions as follows which were addressed by DPW staff: does electricity rate for WWTP fall under special rate Town receives; Chairman Nichols shared how the rates work and which rate plan WWTP falls under; water account for WWTP; tipping fees in this section is sludge and going to the landfill; water for pumping stations is used for cleaning; landfill operations and what is contracted out here; monitoring & inspections line item can be lowered to \$9,000 according to Mr. Noyes; the actual bid amount was \$8,300 for the first year.

Chairman Nichols MOTIONED to reduce the line item for monitoring & inspections from \$15,000 to \$8,300 SECONDED by Selectman Pierce.

VOTE: 5-0-0

Selectman Pierce made additional comments and asked questions as follows which were addressed by DPW staff: Transfer Station and the amount of overtime; need to put some serious thought into part time employees; this has been addressed before; make it a goal right now to get some part time employees in here; this will help get the cost down for taxpayers; change in hours is not acceptable solution.

Chairman Nichols commented on the staffing on weekends at the Transfer Station as follows: 4 employees, 52 weeks, 8 hours a day; 3328 man hours; currently have 1 part time employee working 3 out of 4 weekends a month; 80/20 mix; 80% of man hours are overtime; he would propose going to a 50-50 ratio of part time to fulltime employees; if shift to 50-50 mix have a difference of about \$20 an hour; this would lower overtime budget by \$31,000 and increase part time budget by \$15,000 a difference of \$16,000.

Chairman Nichols MOTIONED to reduce the Transfer Station overtime account by \$31,000 from \$72,000 to \$41,000 and increase the part time account from \$17,800 to \$32,800 SECONDED by Selectman Pierce.

Resulting in a net wash of \$16,000. Selectman Bean asked what Mr. Noyes thinks of all this and Mr. Noyes expressed concern that they have not done all the research at this time and there are a number of outstanding issues such as license requirements, union issues, that should be addressed prior to making this change.

Chairman Nichols thinks they should take a vote and if necessary changes can be made at a later date.

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VOTE: 2-2(Plouffe, Woolsey)-1(Bean) Motion failed

Selectman Bean explained that he does not have enough information, on this to vote yes or no at this point; very hazardous job, wasn't privy to this, and went into further details on the information he would need prior to making a choice on this.

Chairman Nichols requested that the Town Manager come back to the Board with information from Mr. Noyes on whether this can or cannot be done.

Selectman Woolsey made comments and asked questions as follows which were addressed by DPW staff: seasonal and part time wages decrease and the impact it will have on the WWTP; Mr. Dube explained what the seasonal employee does, allow the full time workers to do their jobs.

Selectman Woolsey MOTIONED to set the seasonal and part time wage line item in WWTP back to the requested \$6,300. Motion failed for lack of a second.

Discussion on the new Fournier press and because of the new press is there room for reduction here which Mr. Dube does not think is a good idea.

Selectman Woolsey asked about the collection bins/carts and wants a figure on the amount of money to date that has been spent on the purchasing of these carts; set up some sort of computer program to keep track of these carts since they did cost so much; need to do a little more work on carts; Theresa from DPW explained there is a database in place that keeps track of where all carts are located by serial number, and address; information on what has been spent on carts can be found by contacting Mark Richardson; discussion on revenue that offsets the expense since businesses purchased their carts; waste tipping fees ties together with recycling; if there is an aggressive recycling effort we would be able to get the waste cost down; why do we still have to cart so much to Turnkey.

Chairman Nichols made comments and asked questions as follows which were addressed by DPW staff: recycling hauling spent \$82,717 in 2012 looking for \$85,000; only spent \$31,975 through July which would equate to about \$63,000 for the year; expect the lower amount is because we are now hauling to Portland, ME and have a new hauler; room to reduce this line item; sewer line maintenance has been \$130,000 for couple of years and shared the amounts that have been spent over the past 3 years; Mr. Noyes explained why he has budgeted so much for this line item.

Chairman Nichols MOTIONED to reduce the line item for recycling hauling from \$85,000 to \$75,000 SECONDED by Pierce.

VOTE: 5-0-0

Chairman Nichols asked for Mr. Schwotzer to inform the board of the net effect of the changes made tonight. Mr. Schwotzer stated they have reduced \$26,700 so far. Chairman Nichols would be happy to add this amount into the paving line item.

Chairman Nichols MOTIONED to put \$26,700 into the paving line item of DPW budget SECONDED by Selectman Pierce.

VOTE: 5-0-0

Selectman Woolsey questioned when they are going to talk about rolling stock and Chairman Nichols will put this on next week's agenda if it is not a heavy agenda.

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VI. Approval of Minutes (3:07:24)

1. September 09, 2013 Non-Public Minutes

Chairman Nichols MOTIONED to approve the minutes of September 09, 2013 Non-Public Minutes SECONDED by Selectman Pierce.

VOTE: 5-0-0

VII. Town Manager's Report (3:07:36)

1. The materials from the Police, Fire and DPW on the inequities that document the Town's financial support for State properties at the Beach is due by the end of the first week of October.
2. The Administrative Assistant has been updating the code book as time is available. The changes are on-line.
3. Smith Colony Roads – The warrant article for acceptance has been completed by my office and is in Town Counsel for legal review and completion for Town Meeting.
4. The warrant article for the installation of sewers on Auburn Street Extension including easements and betterments is in Town Counsel for legal review and completion for Town Meeting, if required. The final process will establish a basis for installation or replacement of sewers in all private streets in the future.
5. The installation of curbing at the Galley Hatch and other locations is temporarily on hold as the work is to be rebid.
6. The initial changes to the Martial Acts Ordinance and Zoning provisions have been drafted and are in Town Counsel for review and completion for Town Meeting Action.
7. Does the Board wish to release one of the proposed legislation for the Cemetery Funds to be deposited directly to the Town Trustees. If so, direction for Town Counsel to review and release for action by the General Court. There was a consensus amongst the Board that this should go to legislation.

Mr. Welch provided an update on the light at the intersection of High Street and Rte. 1 and study that is being done. Selectman Woolsey reminded Mr. Welch that she and Fred Rice need to be involved in this as the Board had agreed to this previously.

Board Members Woolsey, Pierce and Nichols made comments as follows: does not want to see any warrant articles such as the martial arts unless there is enforcement involved; thank you note Town received from the Thresher Fund; code book updates on the website; updates were kind of all over the place; thinks that this should be done in some sort of chronological order; martial art stuff needs quite a bit of work.

VIII. Old Business

1. Church Street Parking Lot Facilities (3:17:42)

Selectman Woolsey and Chairman Nichols made comments as follows: received memo from Dyana; have money in budget and in place by next summer; highest number was \$200+ per month; can be done for probably less than \$1,000. Board agreed that they would add the \$1,000 for Church Street bathroom.

2. Selectmen Woolsey Recycling Enforcement Proposal – Deferred

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3. 2014 Warrant Articles (3:19:13)

Chairman Nichols suggested that they cover rolling stock during Warrant Articles next week. Selectman Pierce commented on the trash article and need to do a word by word comparison. Chairman Nichols commented that Mr. Noyes is coming in on October 7th with a trash proposal and might want to wait until after that meeting.

IX. New Business

1. USS Thresher Memorial Commemorative Paver (3:20:43)

Chairman Nichols read the suggested words for the paver.

Selectman Pierce MOTIONED to APPROVE the USS Thresher Memorial Commemorative Paver SECONDED by Selectman Woolsey.

VOTE: 5-0-0

X. Closing Comments – None

XI. Adjournment (3:21:38)

Selectman Woolsey MOTIONED to adjourn at 10:16 PM SECONDED by Selectman Pierce.

VOTE: 5-0-0

Chairman