

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
March 15, 2004 7:00 PM**

PRESENT: Virginia Bridle, William Sullivan, James Workman
Cliff Pratt, Rick Griffin
James Barrington, Town Manager
Karen Anderson, Administrative Assistant

SWEARING IN OF TOWN OFFICIALS: The following Town Officials were sworn into office by Town Clerk, Arleen Andreozzi: Robert Casassa, Moderator; Rick Griffin, Selectman; Pauline Dwyer Boyle, Supervisor of the Checklist; Trustee of the Trust Funds, Robert V. Lessard; Library Trustee, Judith Geller; Cemetery Trustee, Richard Bateman; Planning Board, Kenneth Sakurai; Municipal Budget Committee, Mary-Louise Woolsey, Michael Pierce, William Lally, Eileen Latimer, Charlie Preston; Zoning Board of Adjustment, Matthew Shaw.

Reorganization of the Board of Selectmen

Mr. Pratt NOMINATED Mrs. Bridle as Chairman of the Board of Selectmen.
Mr. Workman SECONDED

Mrs. Bridle thanked the Board and said that she heard rumors today that she was moving to Dover and that she was getting married. She clarified that she was not moving to Dover, but she is getting married in the Fall. Mrs. Bridle also said that because of her work with Seacoast Hospice, Bridges, Seacoast Hospitality Network, the Soup Kitchen and other activities, she was declining the nomination as Chairman.

Mr. Workman NOMINATED Mr. Sullivan as Chairman of the Board of Selectmen.

Mr. Pratt SECONDED

**VOTE: 4 FOR
1 ABSTAIN (Sullivan)**

Mr. Sullivan thanked the Board for their confidence and acknowledged that the Chairman is only one of five members and regardless of the length of time on the Board, each member's philosophies and ideas are equally important.

I. SALUTE TO THE FLAG

Mr. Rick Griffin led the audience in the flag salute.

The Board exchanged seats, with Mr. Griffin taking his place at the Selectmen's table.

Mr. Workman MOTIONED that Mrs. Bridle be appointed Vice-Chairman of the Board of Selectmen.

Mr. Griffin SECONDED

**VOTE: 4 FOR
1 ABSTAIN (Bridle)**

II. ANNOUNCEMENTS

Mr. Griffin thanked the voters for giving him the opportunity to serve as Selectman.

Mrs. Bridle thanked the WHS students for getting their parents out to vote and noted that this election had the highest vote count in recent history.

Easter Bunny Breakfast

The Easter Bunny Breakfast will be held April 3rd.

Snow Emergency

Mr. Barrington announced that if the predicted snow storm occurs, the winter parking ban which ended today, will be extended until further notice. Channel 22 will carry a notice of the parking ban.

Laconia Fire Department

Mr. Sullivan expressed the condolences of the Hampton Board of Selectmen to the Laconia Fire Department on the loss of the firefighter in a diving accident.

II. APPOINTMENTS1. Ellen Lavin, Town Treasurer Re: Tax Anticipation Notes

Mrs. Lavin told the Board that the best rate for the Tax Anticipation line of credit this year came from the Bank of New Hampshire. The note is for a \$2.5 million line of credit at 1.39%. Mr. Sullivan asked if the town did not have semi-annual tax collection if there would be a need to borrow more often. Mrs. Lavin said that the first year she was treasurer, prior to the semi-annual tax collection, she had to borrow \$18 million in March. Mrs. Lavin told the Board that she anticipates borrowing in late March and paying it back in full by the end of May.

Mr. Workman MOTIONED that the Board of Selectmen sign the Tax Anticipation Note to authorize the Treasurer to borrow up to \$2.5 million at 1.39%.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

The appropriate documents were signed.

2. Mr. Robert Estey, Assessor Re: Abatements

Mr. Estey presented the regular sewer abatements #1001 through 1295 with the recommendation that they be approved.

Mr. Pratt MOTIONED that abatements #1001 through #1295 be approved for the total amount of \$56,572.35 plus any interest that may accrue.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Mr. Estey presented three sewer abatements that he recommended by denied due to late filing.

Mr. Pratt MOTIONED that abatements #1296 through #1298 be denied due to late filing.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Mr. Estey presented the regular abatements, #1066 through #1132 and noted that the abatement filing period has now passed.

Mr. Pratt MOTIONED that abatements #1066 through #1132 be approved for the total amount of \$33,045.76 plus any interest that may accrue.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Three veterans and disabled exemption abatements were presented for approval.

Mrs. Bridle MOTIONED that abatements for exemptions #3015, #3016 and #3017 be approved.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Mr. Estey said that as a result of the increases that were approved at Town Meeting for the exemption rates, there will be an increase to the amount needed to be raised by taxes of approximately \$500,000.

III. OLD BUSINESSTown Manager's ReportDefault Budget

Mr. Barrington told the Board that last week was busy, with alternatives being prepared for the default budget. He will discuss some of the options with the Board later in the meeting. Mr. Barrington said that

DRA has an April 1st deadline for the budget as approved to be submitted.

Intersection Parking

Mr. Barrington explained to the Board that recently changed legislation in regard to parking near intersections has increased the no parking zone to 30' from the intersection. As Public Works prepares to paint the parking lines and crosswalks this year, it is important to note that there will be some parking spaces lost.

Unfair Labor Practice

An unfair labor practice has been filed by the Police Union against the Town and the Town Manager will brief the Board on that at a later time.

Resolution

Mr. Barrington told the Board that Representative Mike O'Neil stopped by this afternoon to report that the Legislature will be discussing a bill Tuesday relative to the district courts. He asked if the Board of Selectmen could adopt a resolution in favor of maintaining two separate district courts in Hampton and Exeter. Mr. Barrington said that the case count justifies the existence of the two courts rather than consolidating into one court. The request has been made by the area Police Chiefs and is being supported by the County Attorney.

Mr. Pratt MOTIONED that the Board of Selectmen adopt a resolution to support the maintenance of two district courts for Hampton and Exeter.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

IV. NEW BUSINESS

Default Budget

Mr. Sullivan said that the voters spoke at the polls last week and voted down the proposed 2004 Operating Budget, and while that in itself is bad enough, the town can scrape together the \$400,000 short fall. He added that the major concern is the voting down of the special revenue fund for police and fire details. Mr. Sullivan explained that as a result, the Town can not spend a dime out of that fund. The request to the voters was to appropriate only from that account to pay the people that work the special details. Now, if the Town pays special detail wages it must come from the operating budget, with the revenue received going into the special revenue fund and not available to offset the impact to the tax rate.

Mr. Barrington said that was correct and noted that the fund has been in operation for four years and has generated a surplus of \$22,000. He said that it is a pass thru account. In addition to the police details for construction projects, this account is used to pay for the fire department details at fireworks during the summer, the Seafood Festival details, police at school events and at bars where they are required due to past problems at the beach. Mr. Barrington said that there are a number of public safety issues involved in having these private details but the authority to spend from that fund has been removed. Mr. Barrington said that with the default budget, if the board desires to authorize any private details it will be a double impact to the tax rate because the revenue can not be used to offset the expense. Mr. Barrington said that the details have been stopped as of this weekend, unless determined to be an emergency. Mr. Sullivan asked if he was aware of a special event at WHS this weekend where there was no detail and there was a problem. Mr. Barrington said that he has been made aware of that.

Mr. Barrington explained that initially there are two options for the Board to consider. The Board of Selectmen has the option of accepting the default budget or calling for a Special Town Meeting to propose an alternate town budget. Historically when towns have done that they have proposed an amount in between the proposed budget and default budget. The Town Manager noted that there is a cost associated with a Special Town Meeting with no guarantee that the budget amount proposed would be approved.

Mr. Barrington told the Board if they choose to hold a Special Town Meeting, they must go through a budget process, forward that to the Budget Committee who must hold a public hearing. A deliberative Session then is held, with voting at a later date. If the Board wanted to put an article forward regarding the Special Revenue Fund for the private details, it would require a Superior Court judge's approval. Mr. Barrington pointed out that Superior Court judge approval is not required to hold the meeting, but without that approval the question must pass with a majority of the registered voters voting in favor of the question. Mr. Barrington pointed out that only 49% of the electorate voted in the recent election.

The Board was polled and chose not to go forward with a Special Town Meeting.

Mr. Barrington said that when developing the 2004 budget, the Board of Selectmen set the goal of a flat budget and the difference between the two amounts was less than 2%. The only hiccup at this point, in meeting the default budget is the expenditures of the private details that have already taken place this year, in the amount of \$18,000 which will now have to be re-paid to the special revenue fund from the operating general fund. Mr. Barrington said that the policy question to the Board is to what extent the Board wants to try and fund special details. Last year special details amounted to over \$234,000. Mr. Barrington said that there is legal authority for the beach infrastructure projects and with last year's warrant article for sewer at Kings Highway there will be some significant projects that would normally have private details. This is a concern and Mr. Barrington told the Board that he met with Officer Henderson, president of the Hampton Police Association along with some of the staff members to discuss the options that are available. The first thing that needs to be determined is at what level the Board wants to try and fund details. There are a number of issues that are clearly public safety oriented, while many other details are more optional such as construction projects on collector and small roads where there is not much traffic. Mrs. Bridle said that before the vote, the special detail officer wages came out of the special revenue fund and now they have to come out of the operating budget with the revenue still going into the SRF, which can not be touched. Mr. Barrington said that was correct. Mr. Sullivan asked if Attorney Gearreald has looked at the options that are available. Mr. Barrington said that anything different would require a Special Town Meeting vote.

Mr. Barrington told the Board that he discussed areas of reductions with the department heads in order to meet the reduction of \$400,000 for the default budget amount and they have been very cooperative. He said that it would seem that in the normal course of operation, the four new police officer positions that were put forward would be quickly targeted for removal, saving \$60,000.

Mr. Pratt said that he feels all hiring should be frozen for the year. Mr. Barrington said that he would recommend against that terminology. Mr. Workman suggested that there be no new positions this year. Mr. Pratt said that he would like all hiring to come before the Board of Selectmen for approval. Mr. Barrington said that he does not like that restriction because there are times that he would like the flexibility to go forward and he was not sure that was legal under the Town Manager form of government. Mr. Workman said that if someone leaves, the Board of Selectmen may want to leave the position unfilled for the remainder of the year. Mr. Barrington said that may be his recommendation as well, but it would depend on the position.

Mr. Barrington said that it is his recommendation that we not add the four police positions this year. Mr. Griffin asked how that would impact overtime. Mr. Barrington said that alone will have a minimal impact to the overtime budget, as the department will be at minimal staffing.

Mrs. Bridle said that employee's raises, new positions or increases in hours for part-time positions should not happen this year. Mrs. Bridle specifically noted the position that was to go from part-time to three-quarters should remain at part-time. Mr. Barrington said position is the legal assistant and will be discussed, but it is his recommendation that the position not be reduced as the demands on that department will be increasing. Mrs. Bridle said that she feels that all the increases should not happen. Mr. Sullivan said that it is not fair that a department head or assistant does not get a raise when the unionized employees will get their contractual raises. Mr. Barrington said that the non-union COLA raises were given as of January 1 and

he would not allow the approximate 25 non-unionized employees go without the increase while all of the unionized employees get one.

Mr. Pratt MOTIONED that no new positions be authorized in 2004.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Mr. Barrington said that the Christmas Parade funding that was included in the budget has been removed since the warrant article passed as well. Mr. Barrington recommended that the Health Agencies be funded at the 2003 levels. The funding for the start of the GASB compliance in the amount of \$11,000 can be deferred. Mr. Barrington said that there is about \$100,000 in the budget for highway resurfacing, with \$350,000 in the warrant article and all or some of that can be removed. Mr. Barrington said that there are some reductions in training costs proposed by the police and fire departments. He said he is comfortable that we can reach the default budget.

Mr. Sullivan suggested closing the transfer station on Sundays, limiting the number of hours the station is open to no more than eight hour days and eliminating the spring clean up. Mr. Pratt said that he would oppose all of those suggestions. Mr. Workman said that he would be in favor of the suggestions. Mrs. Bridle said that spring clean-up should remain because it was a vote of town meeting and she feels that Sunday is the busiest day at the Transfer Station and she is not in favor of closing it on Sunday. Mrs. Bridle said that she could live with shortening the hours. Mr. Griffin agreed with Mrs. Bridle on all points.

Mrs. Bridle expressed concerns about level funding the health agencies since only two agencies were increased from 2003 amounts and the increases were determined to be very important to the agencies. Mr. Sullivan said that the Board needs to keep in mind that the Town is already a quarter of the way through the budget year.

Mr. Barrington said that as we start to go further in the way of funding private details it becomes more difficult. He said that the adjustments needed to reach the default budget level would hardly be noticed by the voters. If, however, the Board wants to provide a significant level of private detail funding there will have to be significant decisions made about hours of the transfer station and other significant reductions. Mr. Barrington said that he would like to schedule some meetings with the unions representatives to see if they can help find some ways to reduce the costs. He said that he believes that the unions would be willing to work with management to get through a difficult year.

Mrs. Bridle said that eliminating the special details it has cut down on the overtime earned by the police officers. Mr. Barrington said that was correct and one of the suggestions that has been made to him is that the wages in the town report be broken down further to show the overtime expenses that are paid through the tax dollars and those that are paid through the special revenue funds. Mr. Barrington said that much of the overtime costs are driven by contractual minimum staffing levels. When someone is sick, on vacation, out at court, or at training those shifts are covered by another person on overtime with very few exceptions. Mr. Barrington noted that we are currently talking about getting six or more inches of snow in March and that will result in overtime that is beyond control.

Mr. Griffin asked for confirmation that every time a police officer or firefighter is sick or out of town on town business, the shift is filled on overtime. Mr. Barrington said that if the absence results in the shift falling to a certain level it is filled on overtime. Mr. Griffin said that when he was looking at the default budget, he thought it would be a good idea to have each department cut back on the overtime. Mr. Barrington said that he is not opposed to doing that but there are certain aspects that are beyond the town's control. Mrs. Bridle said that it is hard to ask taxpayers to give up services in order to give others overtime through details. Mr. Barrington said that this effort is not being done just to provide the overtime; it is to provide a service to contractors and others requesting details. Mrs. Bridle asked if Chief Wrenn has any ideas on this. Mr. Barrington said that he has asked the departments to look at a worse case scenario to see what they can give up if the details are to be fully funded.

Mr. Workman said that he feels the Board needs to find money for the details because it is a question of safety. Mr. Sullivan said that comments have been made that out of town officers can be hired for the details and he said that will not happen. Mr. Sullivan said that all of the departments should be asked what would happen if they lose \$100,000 from their overtime. A \$600,000 budget cut can't be made without reducing services. Mrs. Bridle said that another impact will be that there will be no money remaining at the end of the year to be used to offset the tax rate.

Mr. Pratt said he would like more information before making decisions about cutting back on private details. He said that he is not willing to sacrifice safety. Mr. Sullivan asked what the effect of removing the School Resource Officers from the schools and putting them back on patrol. Mrs. Bridle said she was absolutely opposed to that and noted that the SRO's reduce crime and make the officers available to the students. She added that the SRO at the junior high has kept that school together. Mr. Pratt said that there will have to be some hard decisions and some people will be unhappy. Mrs. Bridle asked if it is possible to have the schools fund half of those positions. Mr. Sullivan said that he put it on the table because it would decrease the number of shifts that have to be covered by overtime. Mr. Pratt said that before April 1st he would like some tangible data to consider. Mr. Barrington said that he will provide a revised budget next week that meets the default amount. Mr. Pratt said that he understands people's motives when not approving the special revenue fund, but he does not think they were right.

Mr. Workman said that the Board has to look at every possible item, including the transfer station hours, school resource officers or whatever. Mr. Barrington said that there are a number of vehicles that are being looked at for deferral to another year. Mr. Sullivan suggested that only mandated training be approved. Mrs. Bridle asked if that would include conferences. Mr. Sullivan said that would be up to the Town Manager to approve. Mr. Pratt said that what bothers him is that people believe their taxes won't increase now, but that is not true because the Hurd Farm and the high school passed.

Mr. Sullivan said that he had a minor accident last year and the police department was at minimum staffing that day and it took a half-hour for them to respond. Mr. Sullivan said that Chief Wrenn may want to look into the way reports are taken; there are some procedural things that could improve efficiency. Mr. Pratt acknowledged that Hampton is a difficult town to budget for due to the seasonal nature.

Mr. Griffin asked if there is extensive training involved with the fire boat. Mr. Barrington said that there has been but it is ready to be in service this summer. Mrs. Bridle asked if there are any services we are currently providing to the state that we may have to give up.

Mr. Sullivan asked how Spring Clean-up will be handled since a lot of the materials picked up now have fees associated with disposal. He asked if the materials will be picked up for free for two weeks? Mrs. Bridle said that there should be a \$50 annual fee associated with a transfer station sticker rather than charging residents as they go along. Mr. Barrington said that would require a Town Meeting vote. Mr. Pratt said that the only way to offset taxes is to cut spending or raise revenues. Mr. Barrington said that the overwhelming cost of spring cleanup is the labor of picking up the materials. The tipping fees were in the \$2,000 range with \$40,000 being the collection contract.

Non-Public Session

Mr. Sullivan asked the Board to meet in for a short non-public session to discuss litigation.

Mrs. Bridle MOTIONED that the Board of Selectmen go into non-public session at the conclusion of the meeting under RSA 91-A:3 II (e) for litigation.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Budget Committee

Mr. Workman MOTIONED that Mrs. Bridle be the representative to the Budget Committee.

Mr. Pratt SECONDED

VOTE: 4 FOR

1 ABSTAIN (Bridle)

Board of Selectmen

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March 15, 2004

Mr. Workman MOTIONED that Mr. Sullivan be the alternate representative to the Budget Committee.
Mrs. Bridle SECONDED

VOTE: 4 FOR
1 ABSTAIN (Sullivan)

Mr. Griffin told the Board that he hopes to be able to stay as a member of the Zoning Board

Planning Board

Mrs. Bridle MOTIONED that Mr. Workman be the Board of Selectmen member of the Planning Board.
Mr. Griffin SECONDED

VOTE: 4 FOR
1 ABSTAIN (Workman)

Mrs. Bridle MOTIONED that Mr. Griffin be the Alternate representative to the Planning Board.
Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Heritage Committee and Recreation Advisory Council

Mr. Workman MOTIONED that Mr. Pratt be the representative to both the Heritage Commission and the Recreation Advisory Council.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Cable Advisory Committee

Mrs. Bridle MOTIONED that Mr. Sullivan be the representative to the Cable Advisory Committee.
Mr. Workman SECONDED

VOTE: 4 FOR
1 ABSTAIN (Sullivan)

CIP Committee

Mr. Pratt MOTIONED that Mr. Griffin be the Representative to the Capital Improvement Committee.
Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

IV. MINUTES

The minutes of March 8, 2004 were accepted as written.

V. CONSENT AGENDA

1. Coin Operated Amusement Permits
2. Leased Land Sales Agreement – 23 M Street
3. Taxi Permit
4. Nursing Home Referral

Mr. Pratt MOTIONED that the Board of Selectmen approve the consent agenda.

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

VI. ADJOURNMENT

Mrs. Bridle MOTIONED that the meeting be adjourned. (8:35 PM)

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Chairman

