

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
May 24, 2004 7:00 PM**

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

PUBLIC HEARING: The Board of Selectmen held a public hearing to take comments from the public in regard to the acceptance of a grant for bullet proof vests.

There were no comments from the public.

Mr. Workman MOTIONED that the grant for bullet proof vests be accepted.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

I. SALUTE TO THE FLAG

The Board of Selectmen led the audience in the flag salute.

II. ANNOUNCEMENTS

Mr. Pratt announced that the Fishing Derby was rained out this past weekend.

Mr. Pratt announced that the Heritage Commission and Historical Commission were able to save a historic barn that was scheduled for demolition. He thanked Elizabeth Aykroyd, Ben Moore, James Barrington and Chet Riley for their special efforts.

Memorial Day Services

The American Legion will be hosting a Memorial Day services on Monday, May 31st, beginning at the Lady by the Sea statue at 8:00 AM on Monday May, 31st. The parade will follow at 11:00 AM from the Town Office to the High Street cemetery.

Winnacunnet School Board

The Town Manager will be attending the Winnacunnet School Board meeting with Chief Wrenn on Wednesday, May 26th in regard to the funding of the School Resource Officer.

III. APPOINTMENTS

1. Mr. Warren Bambury, Rockingham Planning Commission Road Inventory

Mr. Bambury presented to the Board the road inventory that has recently been completed by the Rockingham Planning Commission. He noted that the inventory showed that the town has had a 20% increase in total road mileage and that is significant because certain State funds are based on road mileage. The Town of Hampton is going to be the first community to find out what is going to happen based on a revised road inventory. Mr. Bambury explained that after the inventory is accepted by the Board of Selectmen it will be presented to the Department of Transportation.

Mr. Bambury updated the Board of other projects of the Rockingham Planning Commission. He told the Board that as part of the Route 1 study, the RPC will be looking at the area between the north and south bound lanes, near the Route 101 interchange. In conjunction with the discussion the Board had regarding a mono-rail, that area could be considered for parking. He noted that the study being conducted on a magnetic plane from Seabrook to Hampton may also tie into a monorail idea.

Mr. Bambury told the Board that the CEMAQ funds were allocated recently and while the RPC anticipated that Hampton's project for a bike path would be funded, that did not happen. He said that the Planning Commission has sent a strong letter to the Department of Transportation with concerns on the process that was used to allocate the funds.

Mr. Sullivan noted that the road survey appears to have some roads duplicated. Mr. Bambury will check on that.

Mr. Workman MOTIONED that the Board of Selectmen accept the road inventory as prepared by the Rockingham Planning Commission.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

2. Mr. Bob Houle, Chamber of Commerce, Re: Sand Sculpture Competition

Mr. Houle was joined by the Precinct Commissioners. Representative O'Neil noted that Memorial Day weekend officially starts the season at Hampton Beach, with entertainment beginning this Saturday and the first fireworks of the season on Sunday evening. The Sand Sculpture Competition has become a world class event and the Precinct in conjunction with the Chamber of Commerce would like to request the town's assistance with the event.

Mr. Houle explained that the Sand Sculpture Competition, with local artist Greg Grady is scheduled to take place from June 10 to June 28th. Volunteers are needed to assist with the event and were encouraged to contact the Chamber or Mr. Gerry McConnell. Mr. Grady thanked the Board for the support they have given in the past and said that they are requesting the same support this year. He added that there will be 18 master sculptures this year, with twelve competing for over \$10,000 in prize money. Free sculpting lessons will be offered this year. Specifically the assistance being requested includes the use of snow fencing, water and police security on Friday evening.

Mr. Griffin said that is a good event and he supports the town's assistance. Mr. Sullivan said that it is a world class event and it draws sculptures from all over the world. Mr. Grady noted that there is a sculptor coming from the Netherlands this year. Mrs. Bridle asked Mr. Barrington if the police detail has already been included in the detail funds. Mr. Barrington said that he was not sure, but would confirm that with the police department.

Mr. Workman MOTIONED that the Town support the upcoming sand sculpture competition in a manner consistent with years past.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

3. Mr. Bob Estey, Assessor, Re: Barn Easement Applications

Mr. Estey explained that one of the requirements for a discretionary barn easement is that the Board of Selectmen hold a public hearing on the applications and then establish the percentage of the easement. Mr. Estey told the Board that he has received two applications for barns located at 459 Exeter Road and 1 Wayside Farm Lane.

Mr. Pratt said that he will be glad to look at the barns as he did last year and report back to the Board.

Mr. Workman MOTIONED that the Board of Selectmen hold a public hearing on June 14th for the discretionary barn easements.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Mr. Estey told the Board that there is a new law that has been proposed that would require a public hearing in order to update values of property unless it is on the town's five year recertification date. He told the Board that he anticipates requesting the Board hold a hearing in the near future so that he can do an update for 2004. At this time he believes the town's assessment ratio is at approximately 85%.

4. Doug Mellon, Mr. Roger Bedard, Re: Sewer Ordinance Revisions

Mr. Mellon explained that two or three years ago, in preparation for the renewal of the town's DES Permit for the wastewater treatment plant work was begun on updating the sewer user ordinance. In conjunction with the permit renewal, the town was looking to control the amount of grease coming into the treatment plant and instituting some ordinances to control the grease. Mr. Mellon told the Board that the town hired Wright Pierce Engineers to assist in formulating the ordinance revisions to meet the State requirements.

Mr. Sullivan asked Mr. Mellon to explain the major changes in the ordinance.

Mr. Mellon highlighted the changes. Section 2:602.2 is a new industrial discharge fee of \$100 to accommodate the increased review costs over a residential sewer connection fee. The residential fee is proposed to be increased from \$100 to \$125 per dwelling unit. Mr. Bedard said that this is a flow based fee, which means that the more flow you generate the higher the fee for new connections.

Section 2:602 G establishes that the owner is responsible for the connection from foundation to the public sewer, or main. Mr. Mellon said that presently the owner is responsible from their foundation to the property line and this extends the owner's responsibility to the main. Mr. Bedard explained that the problems in the service lateral are generally caused by the homeowner and the town typically has to clear the line, he added that most New England communities claim the main line and the entire lateral is the responsibility of the property owner. Mrs. Bridle said that the town should stay with the old ordinance for this article and should not burden the taxpayers with anything further. Mr. Griffin said that the people of Hampton pay taxes in good faith and they expect quality services and the Board should stick to the way it has been done in the past. Mr. Workman also agreed that the ordinance should not be changed. Mr. Sullivan agreed and said that he has seen a lot of trees on town property get roots into sewer lines and he is in favor of limiting the owner's responsibility to the property line.

Section 2:602 G goes on to require contractors working on sewer lines, whether on public or private property to have a certificate of qualification to lay sewer pipe. He explained that unqualified contractors have been a source of problems for the town, and area towns require their contractors to obtain a license from the town to certify their qualifications. Mr. Sullivan asked if there is a charge proposed for that certificate. Mr. Mellon said that there is no charge, but someone in responsibility at the job site needs to have the certification.

Also proposed is a clarification of the legal elevation for openings to the sewer. Mr. Mellon said that currently homeowners cannot have openings to the sewer system that are below grade and the reason for that is that if there is a back-up in a line, the town would rather see it bak-up into the system and not into the homeowners property through a below grade opening. Mr. Sullivan asked if this would prohibit residents from having washing machines, sinks or toilets in the basements of their house. Mr. Mellon aid that depending on the grade of the road that could be the case. Mr. Bedard said that limits the liability of the town for problems that occur as a result of a backup. Mr. Sullivan said that he understands that water lines are installed as certain depths, but are their standards for sewer mains. Mr. Bedard said that the current design is that it is installed below the frost line, generally around four feet. Mr. Mellon said that this regulation currently exists and this is just clarifying the language. Mr. Pratt said that he thinks that it is good to clarify this.

Mr. Bedard explained that Section 2:602.5 addressed local discharge restrictions and was designed to protect the biological system of the plant by limiting what can be discharged to the system.

Mr. Mellon explained that Section 2:603.3 is a new grease trap license requirement that includes a two-year permit fee of \$200.00 and an inspection fee of \$50.00 for each grease trap installed. He added that Mr. Violette and Mr. Schultz have been able to gain a lot of success with the installation of grease traps with restaurants during the past couple of years. The licensing and inspection process would allow the town to

enforce the provisions of the ordinance. Mr. Griffin asked how many grease traps are in each restaurant. Mr. Mellon said that it varies according to the layout of the restaurant and the number of sinks. Fines to food preparation businesses in violation or sections of the ordinance range from \$250 to \$1,000 per day.

Mr. Mellon told the Board that Section 2:614, regarding disposal fees for the towns allowed to dump sludge in Hampton have been updated and increased for non-residents. Mr. Sullivan asked if there is a method for determining where the septage being brought in by commercial drivers came from. Mr. Mellon said that there is a form that the drivers need to fill out to verify the address where it came from.

Mr. Pratt said that it would be good to make the changes recommended, with the exception of the service line responsibility change. Mr. Workman asked that the change be shown in red in the next draft for the Board to review.

Mr. Workman MOTIONED that the Board of Selectmen hold a public hearing on June 7th to take comments from the public in regard to amending the sewer user ordinance .

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

5. Mr. Peter MacKinnon, Cable Committee, Re: Request of Equipment Purchase

Mr. MacKinnon told the Board that the committee is still in the process of changing out the VHS recorders to DVD recorders and is requesting permission to expend up to \$10,000 to replace equipment and continue the conversion.

Mrs. Bridle MOTIONED that the Board of Selectmen authorize the Cable Committee to expend up to \$10,000 for equipment and services needed to continue the conversion from VHS to DVD.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

IV. OLD BUSINESS

Town Manager's Report

Legislative Office Hours

Mr. Barrington reported that a representative from Senator Sununu's office will be available between 11:30 and 12:30 on Tuesday morning at the Town Office to meet with anyone who has questions or comments for the Senator.

Parking Lot Light Pole

Mr. Barrington reported that the light pole at the northwest corner of the Town Office appears to have been struck by a car. A police report has been filed.

Legislative Appointments

Representative Tom Gillick has been appointed to the state's Equalization Standards Board, along with Assessor Bob Estey. Representative Gillick was also appointed by Speaker Chandler to serve on a joint legislative committee to study property tax relief.

Statewide Property Tax

Mr. Barrington told the Board that Representative O'Neil reported on the latest status of the statewide property tax impact on Hampton, noting that as it stood on Thursday, May 20th, Hampton's bill from the state would be \$187,911. Copies of the statewide spreadsheet were copied for the Board. Mr. Barrington noted that this is far worse than the Zero Dollars that the town was originally anticipating, it is significantly better than the \$840,000 that was on the table a week ago and the \$1,228,189 that was paid in March for 2003. The Town Manager expressed appreciation for the diligent efforts of our legislative delegation in looking out for the taxpayers of Hampton.

Tax Anticipation Notes

Finance Director Dawna Duhamel reported that Treasurer Ellen Lavin has had to borrow an addition \$725,000 in Tax Anticipation Notes this week. This brings the total currently outstanding to \$2,225,000. This is the most the town has had to borrow in quite some time. With the tax bills going out this week, Mr. Barrington said that he expects revenues to begin coming in to help the cash flow.

Drakeside Road Lift Station

Public Works Director John Hangen reported that progress is being made on the punch list for the Drakeside Road lift station.

Building Inspector Office Hours

Mr. Barrington reported that he has been working with the Building Inspector on developing an alternate schedule for the Building Inspector and Assistant Building Inspector to provide more total coverage for their office. He noted that the Fire Department has had success with 4 – 10 hour schedules so at the request of the Building Inspector and the Assistant Building Inspector, he has approved a trial period this summer, beginning June 2nd.

Property – Liability Insurance

Mr. Barrington told the Board that he has received a call from Mr. Tom Dunn of the Property Liability Trust this morning concerning our renewal rates. The Insurance Committee will meet with Mr. Dunn to review the proposal on June 2nd at 6:00 PM. Preliminary indications are that the rates will be comparable with the past rates.

Winnacunnet School Board

The Board was reminded that the Winnacunnet School Board will be meeting at 7:00 p.m. on Wednesday evening this week. The Town is on their agenda for discussions of the School Resource Officer program. Superintendent Jim Gaylord called me today to see if there might be other services we could discuss on a fee basis. He specifically mentioned snow removal around the parking lots.

Hydrant Testing

Mr. Barrington noted that the town received a note from Aquarion Water today that they are hydrant flow testing today and tomorrow between 8:00 p.m. and midnight. They note that this may cause rusty water conditions. If users experience rust problems, running their water for a few minutes should clear it up.

Town Clerk's Conference

Town Clerk Arleen Andreozzi has posted a notice that the Town Clerk's Office will be closed on Wednesday, May 26, to allow her office to attend the Annual Seacoast Clerk's Seminar.

Sun Valley Sand

Mr. Hangen spoke with Frank Richardson about knocking down some of the dunes at the end of the Island. There seems to be progress on that in conjunction with the protection of the nesting of the plovers. Town crews have been working on the Sun Valley sand piles that were placed through the replenishment project. Mr. Barrington said that he has been told that Seabrook will have volunteers there to clean up the debris by hand.

Exeter Road Railroad Bridge

Mr. Barrington told the Board that he met with Mr. Barry last week along with JoAnne Fryer from CLD Engineering in regard to the Exeter Road bridge. CLD will be turning in a final report and mylars on the project which will be put on hold for the time being. The State has determined that they will try to make the bridge sounder and re-deck it to the extent possible with the existing superstructure rather than funding the reconstruction as proposed by the Town. Mr. Barrington said that the Town will not take ownership of the bridge as a result. The State will reimburse the Town 90% of the costs that have been incurred to date. Mr. Barrington told the Board that the Department of Transportation will do the actual work at their own

expense and retain ownership until such time that a more thorough job can be done. The State plans to schedule the work after the Summer of 2006. Mr. Barrington said that Mr. Barry understands the problems that will occur with the road being closed and one thing they would like the town to consider is allowing the work to be done 24 hours a day to reduce the time the bridge is out of service. A complete reconstruction funded by the State would be at least ten years out.

North Hampton State Park

Mr. Barrington reported that Johanna Lyons, from the State Park system, called this morning telling him that there was an accident at the North Hampton parking area that destroyed the septic system for the restrooms there. She is looking into either replacing the septic system or seeing if they can tie that North Hampton facility into the sewer line that comes in from Rye to the Hampton wastewater treatment plant. Mr. Hangen reports that it is technically possible for them to tie in, but the policy decision should be made by the Board of Selectmen. The State has paid for such services in the past and is willing to do that, but decisions need to be made quickly.

Mr. Pratt asked what happened. Ms. Lyons joined the Board and explained that a contracted sweeper cleaning the parking lot caused a breach in the cover of the septic system. Mr. Pratt asked if Rye is charged based on the amount of flow from the system. Mr. Hangen said that Rye is charged on a metered basis. Mr. Sullivan asked where the flow is measured. Mr. Hangen said that the meter is at the Hampton/North Hampton line, but a meter could be put on the State system to differentiate that flow. Mr. Barrington said that there are a couple of places where users have been allowed to tie into force mains and he has required an engineering certificate to show how they will prevent problems to their system and a hold harmless agreement if there was a problem and he would recommend that for this request as well.

Mrs. Bridle said that every time the Town has requested something of the State they have been put on hold and she is concerned that the State is not asking for the Town's help and while she understands their situation she does not think it is fair. Mr. Griffin said that he agrees with Mrs. Bridle that the town needs to look at the agreements and be clear how things work at the Beach. Mr. Sullivan asked if the meters are up in North Hampton. Ms. Lyon said that the meters are up in North Hampton but are not put into operation until May 31st when the services begin at that location. Ms. Lyons said that the meters go into effect in Hampton on May 1st, which is later than they had in the past. Mr. Pratt asked how extensive it is to hook this into the system. Mr. Hangen said that he does not know what the potential flow to the system is and what the configuration is. The town will need to be assured that the system will work. Ms. Lyon said that it is a small building with four toilets that is heavily used.

Mr. Sullivan said that he would want to see a little more dialogue with the State on who is responsible for doing what at Hampton Beach. Mr. Griffin said that the taxpayers of the Hampton deserve accountability from the State officials. Mr. Pratt asked how long this decision can wait. Ms. Lyon said that they are ready to move forward, but could bring portable toilets to the site for the interim. Mrs. Bridle said that the town is willing to help but needs to know how the State can respond to the Town's concerns.

Drakeside Road

Mrs. Bridle asked who is responsible if Mr. Nigrelli does not follow through with the letter drafted by Mr. Hangen in conjunction with the lift station on Drakeside Road. Mr. Hangen said that this agreement will allow the Town to take over the pump station without incurring a liability. Mr. Nigrelli will hire and maintain the station for the first six months. Mr. Barrington said that Attorney Gearreald will be looking at the agreement as proposed by Mr. Hangen.

State Property Tax

Mr. Pratt encouraged the public to call their State Representatives and ask them to vote no on the State Property tax proposal because it is not in the best interest of Hampton.

Building Department

Mr. Workman asked if the proposed change in hours for the Building Officials will have any overtime

impact. Mr. Barrington said that there will not be any overtime. Mr. Sullivan asked what the current hours are. Mr. Barrington said that Mr. Charette works until 10:00 AM and currently the Building Inspector and Assistant work 8:00 AM to 5:00 PM. The change would result in the one inspector working Monday through Thursday from 7:00 AM to 6:00 PM and the other working Tuesday through Friday from 7:00 AM to 6:00 PM. Mr. Barrington said that theoretically it sounds like it will be a good thing, but it is being done as a trial for the summer only at this time. He added that they have tried to take into account the impact on holidays and vacations so that there is no loss or gain for either the employee or the town. Mrs. Bridle asked if this is something the Recreation Department could look at as well. Mr. Barrington said that it is conceivable that it could improve coverage for other departments. Mr. Griffin asked whose idea it was. Mr. Barrington said that the Building Inspector came to him with the idea as a way to increase coverage in the office and he was told to work out the details and make a proposal. The result has been a collaborative effort in cooperation with the Teamsters.

WHS Snow Removal

Mr. Workman said that he would be opposed as a general concept to the Town providing additional snow plowing services to Winnacunnet High School because the town has problems with the current workload.

Scheduling of Surplus Materials Auction

Mr. Barrington told the Board that he advertised for Requests for Proposals for auctioneer services for the town surplus property and received one response, for a 15% commission. As small an auction as this is, the fee is probably necessary for an auctioneer to put the effort in. Mr. Pratt volunteered to be the auctioneer and the Board set June 19th at 10:00 AM. The surplus cable equipment will be added to the auction list.

Mr. Workman MOTIONED that the Board of Selectmen hold an auction of surplus materials on June 19th at 10:00 AM behind the former town office.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Summer Meeting Schedule

Mr. Workman said that the Board received a proposed summer meeting schedule and should discuss it. Mrs. Bridle stated that she was opposed to a reduced schedule. Mr. Barrington noted that the schedule as proposed results in just one meeting, August 2nd, not being held that does not fall on a Holiday or School Board meeting date.

Mr. Pratt MOTIONED that the Board of Selectmen adopt the summer schedule and that the members revert to summer attire.

Mr. Workman SECONDED

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

(Board of Selectmen meetings will be held on June 7, 14 & 28; July 12 & 26; August 9, 23, 30)

Concession Stands

Mr. Workman asked if the concession stands have been leased this year. Mr. Barrington said that they have been leased to one of the partners that had leased it last year. The rent was reduced by \$150 per month and the lessee has taken over the responsibility of restroom maintenance.

Budget Committee Meeting

Mr. Sullivan commended Chief Wrenn and Captain Sullivan for the presentation that was given to the Budget Committee. Mr. Pratt noted that they did an excellent job. The Fire Department will be making a proposal next week.

IV. NEW BUSINESS

Acceptance of Rockingham County Grant – Recreation Scholarships

Mr. Workman MOTIONED that the Board of Selectmen hold a public hearing on June 7, 2004 to take comments on the acceptance of the grant from Rockingham County for recreation program scholarships.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Fire Alarm Box

Mr. Sullivan asked that the Town Manager find out when the fire alarm box will be replaced on High Street at Lafayette Road.

Board Directory

Mr. Sullivan thanked the Mrs. Anderson for the new directory of Boards and Committees.

High Street Parking Lot

Mr. Griffin told the Board that the parking variance requested for the Odd Fellows lot was denied by the Zoning Board. He noted that during the meeting and while he talked with business people in the downtown area, he heard many comments regarding the lack of signage for the High Street parking lot. He said that the safety of the lot was also expressed as a concern. Mr. Griffin told the Board that he has looked at the lot and feels it is not well utilized. He suggested that if it were professionally laid out likely would be more spaces. Mr. Pratt said that the Board of Selectmen discussed repaving and re-striping the lot last year but the funds were not available. Mr. Griffin noted that a future consideration could be the development of a nice brick walkway from Lafayette Road to the parking lot to encourage better utilization.

Mr. Sullivan asked the Town Manager if the town can be assured of a uniform officer uptown during the summer, at least during the weekends. Mr. Barrington said that he would look into that.

Mrs. Bridle suggested that now that the town owns the gazebo it would be nice to see some free entertainment take place there. She suggested one of the “Arts in the Park” be held there, or a Library story hour be held. Mr. Griffin said that utilization of downtown needs to be encouraged.

V. MINUTES

The minutes of May 10 & 17, 2004 were accepted as written.

VI. CONSENT AGENDA

1. Coin Operated Amusement Permits
2. Leased Land Sales Agreement – 11 Epping Avenue
3. Hawkers & Peddlers Permit – Sonny Boy Ice Cream
4. Hardship Lien Release
5. Dance Hall Permit
6. Nursing Home Referral
7. Parade Permit – Firefighters Memorial, June 6, 9AM
8. Taxi Permit - Americab

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

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

VII. ADJOURNMENT

Mrs. Bridle MOTIONED that the meeting be adjourned. (9:07 PM)

Mr. Workman SECONDED

VOTE: UNANIMOUS FOR

Chairman

