

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
September 12, 2005 7:00 PM**

PRESENT: James Workman, Chairman, Cliff Pratt, Vice Chairman
Rick Griffin, Ben Moore, Virginia Bridle-Russell
James S. Barrington, Town Manager
Karen Anderson, Administrative Assistant

PUBLIC HEARINGS:

1. The Board of Selectmen held a public hearing to take comments from the public on the acceptance of a grant from the Hampton School District in the amount of \$40,000 for funding of a school resource officer at the Hampton Academy; and a grant in the amount of \$50,000 from the Winnacunnet School District for funding of a school resource officer at Winnacunnet High School.

Mrs. Bonnie Searle, 16 Penniman Lane asked if there is a school resource officer at the North Hampton, Hampton Falls or Seabrook School. Mrs. Bridle said that Seabrook has a School Resource Officer and a Juvenile Officer, North Hampton has a specific officer that works closely with the school but not strictly as a school resource officer. Mrs. Searle said that tells her that Hampton students must misbehave to the extent that there is a need for a full-time officer to be present. She stated that this program has increased each year to the point that the town tax payers have paid 100% of the cost and she feels it is time to pull the plug on it and have the faculty and administration take full responsibility. Mrs. Searle said that she feels it is nonsense to have an officer in the school and if an illegal activity takes place in a school, they should call 9-1-1. She is against the transfer of any tax money from the School District to the Town because that money was voted on for education purposes not for police officers.

Mrs. Mary-Louise Woolsey 148 Little River Road, said that she understands that 4 years ago there was a tremendous amount of concern for safety of our children, and she understands the theory behind initiating the Federal grants, but continuing this program is setting a policy to continue these positions. Mrs. Woolsey said she has a concern with the Chief's ability to put law enforcement officers on the street when he is taking two officers from a department that is already stretched too thin and putting them into the school. She asked the Chief what the staffing was in 1990 for officers. Chief Wrenn has a responsibility to the citizens of this town, with the tight budget, the public is entitled to have every officer on the road and they could respond to the schools within minutes if there was an emergency. She does not think it is a good deal for the town and we are paying the administration to maintain order. At this point in time we ought to lay back and not institute a continuing policy of diverting two full-time trained law enforcement officers into the school system. This is all coming from the taxpayers, just from a different pocket.

Chief Wrenn said that the department is staffed at the same level as it was in 1990; the two school resource officer positions were acquired through grants and were added to the department for this purpose. Chief Wrenn said that the Police Department and the School would agree that this has been one of the most successful programs with the schools. The SRO's have been able to help students in many ways and have been able to get information to prevent crimes. He said that the department looks at the schools as a neighborhood with a concentration of students and teachers and it would be wrong to remove the officers from the schools. He asked that the Board of Selectmen continue the program well into the future. Mr. Workman asked when the program started. Chief Wrenn said that it started in 1999 through a three-year grant and the town assumed the funding from that point. Mr. Moore asked if the need for the SRO's is equal at the junior high as well as the high school. Chief Wrenn said that there are different needs at the different schools based on the student ages. At the Junior High there is a lot of mentoring and relationship building at that level, a suicide was even prevented at that level. Mr. Moore said that these two positions were suggested to be cut last March by the Chief. Chief Wrenn said that he did recommend that they program be cut in order to maintain officers on the road and as long as his budget can maintain the level of manpower on the street, he believes the program should remain.

Mr. Griffin asked if the parents have contact with the School Resource Officers. Chief Wrenn said that the parents work with the SRO's in dealing with counseling and other problems. Mr. Griffin asked what happens if a student is caught smoking. Chief Wrenn said that it is against the law and the officer has the discretion to work out any legal actions, such as requiring the student to participate in a community diversion program. Chief Wrenn said that when he was talking about the cuts to the budget in order to meet the default budget, he received more phone calls in opposition to taking the officers out of the schools than for any of the other cuts that were proposed.

Mr. Michael Pierce said that it was his opinion that the town should not be paying for police in the school. He said that it might be appropriate to ask the voters what they think of this, since they are paying for it one way or another. After speaking to more than one policeman, he learned that the police do not feel the officer at the Junior High was necessary, but that it was economically feasible to have an officer at the high school.

Mr. Randall Zito, WHS Principal, former resident of Hampton, stated that he has been affiliated with WHS for 19 years. Having School Resource Officers is not just a Hampton thing; across the nation communities have partnered up with the police departments to provide a safer environment for the students and the teachers. There is no time to react when a student has a weapon in school. He noted that in Hampton, they are fortunate to have officers that understand the relationship and they are only police officers when a police matter occurs, other than that they are like other staff members. He asked that the program be continued and he hopes that someday it could be safely removed, but not now.

Mr. Chris Singleton, WHS School Board, noted that he is the parent of two children at WHS and a Hampton taxpayer. Mr. Singleton spoke in favor of the SRO program and noted that it is a component of education and productivity that has brought the police close to the students. Mr. Singleton said that by addressing the issues today, the school and the police are establishing a relationship for the future. These students will leave high school as better citizens. In his opinion that is what this program does and it is a great investment of the money.

Mr. Jim Gaylord, School Superintendent said that one of the questions raised was why the program is needed at the Junior High and he said that they know that the sooner an image is created the better it is. The image that is being created is that the police are partners with the school and the focus with the younger students is to build the relationship. The officers know the students very well and know how to react to situations with students. It is important to show them the correct way to do things and he said that the administration believes that these officers are a needed part of the administration, not a luxury and he asked for the continued support of the program.

Mr. Ken Myers, 86 Park Avenue asked for clarification on the grant source. Mr. Workman said that the program started as a federal grant that is now complete and the program has been funded by the tax payers. Chief Wrenn said that they are certified police officers, with specialized training in working with children. Mr. Myers said that if the Chief has not had an increase in the force for 15 years, that is a problem and if he was willing to give them up in March rather than reduce his force the Chief should be given the discretion of where he needs the officers. Mr. Myers said that he does not feel we need a police officer in the Junior High. Mr. Myers said that he also would support letting the voters making the decision. Mr. Moore said that the problem with letting the voters decide on the acceptance of these funds, is that it could not be done until March. This grant from the school is to pay the officers this year. Mrs. Bridle-Russell said that the School Boards came to the Board of Selectmen and offered the funds to put the officers back in the schools after the Board of Selectmen voted to remove the positions due to the second consecutive default budget. The funding came through for the positions from September, 2005 to June, 2006. Mrs. Bridle-Russell said that the School Board or the Board of Selectmen can put a warrant article on the ballot in March to request the additional funds for September, 2006 to June, 2007. Mr. Myers said that the notion of the School District making money available for the Town is embarrassing.

Mr. Vic Lessard asked where the discipline starts. He said that parents are sending their children to school for babysitting. He said that if you watch the behavior of some of the students as they come and go from the school, it is obvious that there is a need for police officers. The Town, however, should not raise the money for this it should come from the schools. Mr. Lessard said that if this saves just one life, the officers should be in the school and he trusts the Chief to spend the funds as he wants to.

Mrs. Kim Warburton, 24 Sanborn Road stated she has been a junior high teacher for 24 years and ten of those have been with a school resource officer. The SRO has always been a huge resource and it is about community. Mrs. Warburton said that she understands the budget issues, but the money spent now will save money in the future with these same kids.

Mrs. Bridle-Russell MOTIONED that the Board of Selectmen accept the total of \$90,000 from the Winnacunnet School District and the Hampton School District for the purpose of funding school resource officers at Winnacunnet High School and the Hampton Academy. From September, 2005 to June, 2006.

Mr. Moore SECONDED

Mrs. Bridle-Russell said that when the elimination of these positions was discussed in March she received a lot of calls from junior high parents and a petition with 450 signatures from high school students not to eliminate the program. She said that every dollar spent now, will save \$7 in the future; this is more prevention than it is an expense.

Mr. Moore asked if the first approval of this was through a Town Meeting vote or a public hearing. Mr. Barrington said that he believed it was through a public hearing. Mr. Griffin said that he is in favor of hearing what the voters have to say, although he is in favor of the program. Mr. Pratt said that he is in favor of bringing it to the voters for their recommendation. Mr. Workman said that times have changed in 25 years, it is not the same world it was when he was in school. Mr. Workman said that elimination of the school resource officers was the issue that he received the most calls and emails about during the default budget process and he feels it should be maintained.

VOTE: UNANIMOUS FOR

2. The Board of Selectmen took comments from the public in regard to the re-alignment of the Park Avenue/Winnacunnet Road intersection.

Mr. Ken Myers 87 Park Avenue stated that he supports the school and the expansion and lives across from the spur area that is now dirt. He asked when the area is going to be sodded or seeded, because it is currently a mess. Mr. Barrington said that he anticipated the grass would be done in the near future. Mr. Myers asked if it was the school's decision to take the spur out or if it was the Board of Selectmen's decision. Mr. Workman said that the Board of Selectmen had not granted permission for this, but understand that with the new school driveway the spur going to be a safety issue. Mr. Myers said that he would like to see the current flashing light remain at that intersection.

Mr. Vic Lessard asked who made the decision to take that spur out. Mr. Lessard explained the Marone decision that does not allow the Board of Selectmen to allow the use of town property for private purposes. Mr. Lessard pointed out that the radius is too small at the intersection now and he was not able to cross the street with a tractor trailer. He said that it was wrong and it should have been stopped and he would like to know who gave the school permission to do that.

Mrs. Mary-Louise Woolsey 148 Little River Road said that she has a hard time understanding how the town is paying the Board of Selectmen a stipend, and the Town Manager, Town Counsel, and Paralegal a salary and the interests of the town are not being protected. The decision to give away land that is owned by the town to another entity was not correct. Mrs. Woolsey said that the area should be restored to the way it was, the entry from Winnacunnet Road needs to be made subject to "Gates and Bars" because it is a hazard that should be used only for emergency vehicles.

Mrs. Woolsey said that if the high school can't accommodate student parking on its own grounds, they should limit the parking permits that are issued. She said that it is a dreadful hazard with cars parking along the side roads and the school should not create a parking lot on Winnacunnet Road. She is appalled that this was allowed to take place. Mr. Workman said that title has not changed on any property. Mrs. Woolsey said that if title has not changed, the Board of Selectmen has allowed the school to encroach on town property.

Mr. John Hangen, Public Works Director, said that he agrees that the parking around the high school is a problem. The high school students have been looking for parking places for five years and the Town has been chasing students out of the parks and public works facilities when they haven't been able to take care of them. Mr. Hangen said that the School District, like any other property owner is allowed to apply for a driveway permit which they did. Public Works approved the driveway permit after meeting with the project engineer, the Police and Fire Departments and the Town Manager. The realignment of the Park Avenue intersection was approved, with the instructions given to the school to follow up with securing permissions from appropriate agencies, including the Board of Selectmen. Mr. Hangen said that it is nice to be able to place the blame, but he admits there were communications that were dropped and he does not know why the School Board did not come to the Board of Selectmen. The Town has an obligation to coordinate the Town and School needs with proper safety.

Mr. Michael Pierce said that he drove by the new entrance the other day and it is a disaster with the cars coming onto Winnacunnet Road. He said that it needs to get resolved and the spur should not have been given to Winnacunnet. Mr. Workman confirmed that the land was not given away.

Mr. Peter Tilton, Landing Road said that this is not an isolated problem. The School District did not have to go through the town planning process and the repercussions of their actions were not considered. Mr. Tilton said that there have been traffic problems at the spur in the past, but the problem is different now. If the spur is not put back, a turn land should be added to Winnacunnet Road to provide traffic options. Mr. Tilton said that the school is complaining about their lack of parking and want access to Tuck Field again, but they should have built more parking spaces rather than a tennis court. Mr. Tilton said that the school may have grown so large that it is time to consider breaking up the district. Mr. Tilton also said he does not know why the kids need to drive to school, taxpayers are paying for busses that are only half-full.

Mrs. Casey Morris 244 Winnacunnet Road, stated that she lives extremely close to the entrance. The new crosswalk and the parking along Winnacunnet Road is making it very dangerous to exit her driveway. She said that she understood that the new driveway was only going to be used before and after school, but during the Seafood Festival busses were using that driveway all day. Mrs. Morris said that the neighbors want to work closely with the school, but also want to have some input with the plan in order to retain the character of the area.

Mrs. Bonnie Searle, 16 Penniman Lane said that it would have been advantageous for the public to hear the School Board's presentation prior to this public hearing and she asked if the Board would hold the remainder of the hearing after the appointment. Mr. Workman said that the Board always holds public hearings prior to the regular meeting. Mrs. Searle said that this is a debacle for Hampton and she can not add anything to what Mrs. Park presented at the Board's previous meeting and she commended Mrs. Park for her efforts and the way she presented her findings. Mrs. Searle recommended that the Board of Selectmen let the Highway Safety Committee, through Mrs. Park, guide the Board on what needs to be done in order to make the Park Avenue and Winnacunnet Road intersection as well as the high school driveway safe for motorists and pedestrians. She said if the spur is no longer needed, the correct procedure should be followed to abandon the road, and if that is the case some research should be done to determine if the land was originally part of the adjacent property and if so, it should be returned to that property. Mrs. Searle said that the Board of Selectmen needs to understand their responsibilities.

Mrs. Ellen Goethel, 23 Ridgeview Terrace said that she does not hold the Board of Selectmen responsible. She explained that the Conservation Commission has been dealing with the School District during this

construction and she has found them unresponsive to the town ordinances and she hopes that the Board of Selectmen can correct this. Mrs. Goethel said that there is obviously a big safety issue now at that intersection and she is concerned about who will be sued if there is an injury. Mrs. Goethel suggested that parking be restricted along Winnacunnet Road and Park Avenue and that the Board consider allowing parking on adjacent town roads for cars with resident stickers only. A gate on the new entrance during non-school hours would be appropriate.

Mr. Fred Rice 15 Heather Lane said that he agrees with Mr. Moody, Mrs. Searle and Mrs. Woolsey. He said that when he was a selectman he attended an educational program at the Local Government Center entitled "A Hard Road to Travel" about the laws relating to roads and land use. He noted that the spur would be classified as a Class V highway and in order to be discontinued, which is discouraged by State law, the Board of Selectmen would need a Town Meeting vote. As a matter of policy, discontinuing roads should only be considered if there is a specific use for the land. Mr. Rice said that the traffic flow is now worse. Mr. Rice said that the subject of high school parking has been discussed by the Board of Selectmen extensively for years. There have been ordinances passed that prohibit parking in many areas and the school has ignored them. Mr. Rice asked that the School District be told to put the spur back in, because it was removed without legal authority.

Mrs. Sheila Snow, 214 Winnacunnet Road and a direct abutter to the parking situation, said the blinking light at that corner has helped and she has no problems with that. What is happening with the parking is that she is unable to get out of her driveway. She said that she does not want to see parking taken away from Moulton Road because residents of the street depend on that for their own use. The trash being left by students on Moulton Road and Winnacunnet Road is tremendous at this point and she has been picking it up on a continual basis. Mrs. Snow said that she appreciates the law enforcement directing traffic at this time, although she knows that it won't last much longer. After sporting events, she anticipates there will be a problem. The parking on the side streets is wearing away the edge of the road and causing a drainage problem to get worse. She said she is uncomfortable asking a car to be ticketed for blocking a driveway, but this is happening.

Mrs. Judy Park 3 Wentworth Avenue and chairman of the Highway Safety Committee said that she wanted to re-emphasize the points she made to the Board of Selectmen at the last meeting. The traffic is a zoo when school gets out in the afternoon and a dangerous situation has been created with the closing of the spur and addition of the three-lane driveway onto Winnacunnet Road. She has concerns with liability to the town. She did hear Mrs. Woolsey say that the driveway should be subject to gates and bars and she agrees that it should be closed off until a proper traffic study is completed. The closing of the spur was not done on the recommendation of someone who is a traffic engineer. Mrs. Park said that the Town does not have to perpetuate a mistake because it was done without the town's knowledge. She said she was glad to hear the neighbors concern's about parking on Winnacunnet Road, although she does hate to penalize the residents of the area that like to park there as well.

Mr. Moore asked if the town has the authority to revoke a driveway permit after it has been issued. Mr. Barrington did not know that.

Mr. Skip Webb 11 Windmill Lane said that the parking on Winnacunnet Road that is now taking place is making it difficult to enter Winnacunnet Road from Windmill Lane. If the Board of Selectmen takes away parking from Moulton Road, it will move the problem to Windmill Lane.

Mr. John Skumin, 30 Kings Highway said that attempting to make a right turn onto Winnacunnet Road from Park Avenue is difficult now. A right turn lane will not help that because there won't be enough visibility. The work should not have been done to begin with and a stop should have been put to it.

Mrs. Patty McKenzie said that she is concerned that this issue is coming across as a turf battle, a territorial issue. The parking issue is likely a transitional problem due to the construction. She said that she feels there is a difference between a spur and a road. Mrs. McKenzie suggested that the Board of Selectmen and

the School Board look at the issue collaboratively, remembering that decisions were made with the best information available at the time and remembering that both entities are at fault.

Mr. Michael Scanlon said that it is not too late to make the decision to make the driveway subject to "Gates and Bars" tonight and open the spur back up. He said that there has to be a way to enact a temporary ordinance, tonight, for no parking in that area. The parents that own the cars would be shocked to see how their cars are being parked. The town has not listened to beach owners for two years and residents have had to hire an engineer to do research for them. Mr. Scanlon said that the Town needs to put a stop to the reasons that residents have to initiate lawsuits against the Town. Mr. Scanlon said that he has a problem with Mr. Hangen's statement that anyone could have gotten a driveway that size; no one on Hampton Beach could have gotten that.

Mr. Dennis Kepner, Mill Road, said that the school has no authority to control public land for student parking and they do not issue parking permits for property other than their own. The students are parking there without the authority of the school and the school has no authority to enforce town regulations. Mr. Kepner suggested that a school zone, with flashing lights to slow the traffic down during certain times, be added. He agreed that there is a safety issue involved there.

Mr. Vic DeMarco, Vice Chairman of the Highway Safety Committee said that the committee has discussed this situation and feels that there is a safety problem at that intersection now. If you go there at 6:45 AM there is no problem, but if you try between 7:00 AM and 7:05 AM there is a real problem. Mr. DeMarco said that everyone is aware of the problems and the goal now is to make the area safe for or correct the intersection. He said that traffic control is needed at the driveway as well as at Park Avenue and Winnacunnet Road. Mr. DeMarco said that he is positive that there was not a deliberate effort to cause a problem; the traffic study was done a few years ago, but it had been hoped that the construction would have been approved years earlier. Mr. DeMarco said that the parent drop-off should be in a safer area.

Mr. Myers thanked the Board of Selectmen for their efforts and asked them to do what they are going to do expeditiously.

Mr. Griffin said that this has been going on for awhile, and it didn't look right to him. He was told that the School Board doesn't have to follow all the rules for zoning, and as an elected official he does not like to hear that people feel the Board of Selectmen did something wrong. Mr. Griffin noted that it is a lack of communication that is the cause of most problems, but he doesn't think this is the Board of Selectmen's fault. He does think we need to figure out who made a mistake, it should never have happened and there have been no answers given. Mr. Griffin said that the two boards need to go forward. The traffic problems have been around forever and moving the parking off one street will just put it on another road. It does not look good to have the cars parking on the streets. The Public Hearing would have been better after the presentation.

Mrs. Bridle-Russell agreed with Mr. Griffin. We all assumed that someone else was taking care of it. She does not believe that the School District would just do away with the spur without input from the Town. It appears that many departments have been involved at some point. Every time the Board of Selectmen brought it up, it was not discussed. Mrs. Bridle-Russell said that she thinks there are too many projects going on to keep a handle on all of them. She wants to know how this happened so it does not happen again. Mr. Pratt said that blame does not need to be placed, but believes the situation needs to be rectified.

3. The Board of Selectmen was scheduled to take comments from the public in regard to the acceptance of a grant in the amount of \$50,000 from the Office of Energy and Planning towards the purchase of a vacuum truck for the Department of Public Works.

The paperwork in regard to this grant had not been received and the hearing was postponed two weeks.

I. SALUTE TO THE FLAG – Mr. Vic DeMarco led the audience in the flag salute.

II. ANNOUNCEMENTS

Mr. Moore announced the good news that his son has arrived back in North Carolina after a 9 month deployment in Iraq.

The Historical Society will be hosting the annual Pig Roast on Saturday, September 17th. Tickets are still available.

The Garden Club will be hosting a presentation in honor of Ruth Stimson on Friday, September 16th at Five Corners.

Mrs. Bridle-Russell noted that with school starting, there are more families needing financial help and all of the local food pantries are low and accepting donations.

The Board thanked all of the volunteers and people involved with the successful Seafood Festival.

Mr. Workman announced that on Friday, September 16th he and his wife will be celebrating their 10th wedding anniversary and he thanked his wife, Maureen.

III. APPOINTMENTS

1. WHS School Board/Administration. Re: Park Avenue/ Winnacunnet Road Intersection

Mr. Gaylord introduced Susan Kepner, Chairman of the WHS School Board and Board members, Bob Phillips, Chris Singleton and Maria Brown. Also present was Mr. Zito, Principal of Winnacunnet High School, Mr. White, facilities manager and Mr. Jay Heavisides from Meridian Engineering.

Mr. Gaylord said that the WHS project spanned five years and was discussed several times during that time period and voted on four years. The road that is in question has always been a part of the project and the redesign of that intersection and addition of the driveway was presented as such at hearings by the School Board and was voted on by all the towns as part of the project. He noted that the overall vote for the project was 72% and the Board of Selectmen should give that consideration when considering in an additional vote is required.

Mrs. Kepner said that the big word seems to be “blame” and they agree that communications always need work. She asked that the engineer, Jay Heavisides, outline for the Board of Selectmen the timeline of the project.

Mr. Jay Heavisides from Meridian Land Services explained that he oversaw the site design work for the intersection and the entrance to the school and was in receipt of two letters dated December 15th and December 20th from Mr. Mellin, Department of Public Works to Dick White recommending that they touch base with the Town Planner and Town Manager about the intersection. Mr. Heavisides said that he contacted the Town Planner but not the Town Manager, and failed to follow-up on that contact. He noted that on June 3rd, 2004 there was a kick-off meeting with members the Planning Board, the Town Planner (Jennifer Kimball), representatives from the police department, fire department and public works department as well as the Town Manager and the general contractor. There was a discussion of the general project. At the meeting the traffic study with the recommendation of the driveway and realigned intersection was discussed. The spur was not considered a separate road, it was considered a Y intersection that was being changed to a T intersection. Mr. Heavisides said that he continued to meet with Mr. Mellin of Public Works several times to discuss water and sewer issues and the intersection. In July, Mr. Mellin noted that there may be additional drainage needed at the intersection. On July 21st they were heard by the Planning Board and one of the things discussed was the access from Winnacunnet Road.

Mr. Heavisides said that his first design for the intersection that was reviewed by the Town included left and right turn lanes. The main comment from Mr. Mellin was that there was no need for the turn lanes, but they wanted a T intersection because the current spur would be too close to the driveway of the high school. The entrance was pushed as far away from the intersection as possible. There was back and forth discussion with Public Works and on February 16th, Phase 3 which was the access road and off site improvements was presented to the Planning Board. The offsite improvements were part of the design and the width of the driveway was discussed as well as the intersection redesign. Mr. Mellin reminded them in February to contact the Board of Selectmen about the walkways to see if they should be concrete or asphalt and Mr. Heavisides said that he delegated that to the School Board. Mr. Heavisides said that he had forgotten about the December 15th letter to contact the Board of Selectmen and apologized for not doing that. He noted that it is not something he was accustomed to doing.

Mr. Pratt asked if the original design was more elaborate. Mr. Heavisides confirmed that it had been designed with left and right turn lanes and provided a by-pass lane along the school property to provide a left turn into the property. It would have been a major pavement expansion. After town review it was maintained as two through lanes with wide shoulders. He explained that the telephone pole was a major problem at the intersection and is a very difficult pole to relocate. The radius was made tight to avoid having to move that pole. He feels that the area is safe as designed and would be better if the speed is reduced. He would have liked to have seen a bigger radius, but it will work as built. Mr. Pratt said that he has a hard time with the radius. Mr. Heavisides said that he had designed a larger radius and was told by the town to tighten up the radius.

Mrs. Bridle-Russell asked when the Planning Office changed. Mr. Barrington said that the first transition was in December, 2004 and Mr. Harwood took ill in March.

Mr. Griffin said that he was told that the intersection should be redesigned by the Planning Board. Mr. Heavisides confirmed that the Planning Board wanted the Y intersection changed to a T intersection. Mr. Griffin said that we wouldn't have this turning problem if the telephone pole had been moved. Mr. Heavisides said that he will look at how the road is striped to be sure that it matches the design, because the intent was to move the center line marking to the left, which would provide more room for the busses. Mr. Griffin asked if the pole was not moved in an effort to save money. Mr. Heavisides that it may have been.

Mr. Moore asked who said that the original plan was over designed. Mr. Heavisides said that Public Works told him it was more than what the town wanted for that intersection. Mr. Moore asked if the notes provided were extemporaneous or recollections. Mr. Heavisides said that they were notes from the specific meetings, extemporaneously. Mr. Heavisides said that he was talking with Doug Mellin on a regular basis and he was passing along the reviews from the town departments to him. Mrs. Bridle-Russell said that the notes indicate that the Town was going to move the poles at no cost to the School and it was the town's recommendation to remove the Y and make it a T intersection. Mr. Workman noted the January email that points out that the Town is alright with the design but would like the radius adjusted because the Town would not be moving the pole. Mr. Workman asked if that is the plan that is present at the intersection now. Mr. Heavisides said that it was.

Mr. Gaylord indicated that he also received a copy of the letter from Mr. Mellin and he does not want Mr. White or Mr. Heavisides to take the entire blame for not following up with the Board of Selectmen.

Mr. Pratt said that he is only concerned with the safety of the intersection and the radius for the busses at this point. He would like to see a school zone light arrangement to slow the traffic down. Mr. Singleton said that the WHS School Board is listening and primary concern is also safety and if there are things that need to be done, they will see what they can do. Mr. Singleton said that the School Board appreciates the people that came forward because safety of the children is the concern. It appears that there was some miscommunication. Mr. Singleton said that the new exit and entrance from Winnacunnet is not for the busses, they continue to use the entrance from Park Avenue as they have for many years. One of the things that can be tried is to keep the busses away from the Park Avenue intersection.

In order to try and balance the traffic, they are now asking parents to utilize the Alumni Drive entrance, as has been done in the past years. Mr. Zito pointed out that the reason this entrance was put into the plan was to alleviate the traffic problems and safety hazard on Park Avenue, as the traffic backed up onto Route 1. The students parking along Winnacunnet Road is an issue. The students are parking legally, but they have to cross the road which then backs up traffic. Mr. Zito said that they also have to make sure that parents don't drop students off on Winnacunnet Road and have them cross the road, stopping the flow of traffic.

Mrs. Kepner said that there have been several people watching the traffic each morning and there could be changes as it develops over time. She said that it would be a wonderful cooperative thing if the Town and the School could get together to discuss the parking at the school and town lots. If there was a way that the students could use Tuck Field for a fee that could be turned over to the Town it would be beneficial. Mrs. Kepner said that she has been a School Board member for 18 years, and this is their second project. She suggested a checklist be established so that they could keep track of what approvals need to be obtained for projects such as this.

Mr. Zito said that they are looking at having 120 additional parking spaces on site next year, and it his goal to have all parking on their own property. Currently construction vehicles take up existing spaces and there will be parking added where some of the portable classrooms are now. Mr. Zito said that he had not anticipated the students parking on Winnacunnet Road and Moulton Road, he did not anticipate the town not allowing parking on Tuck Field, and he did not anticipate 100's of students crossing Winnacunnet Road, clogging the traffic. This is not a new issue for WHS and they continue to work on it.

Mrs. Kepner said that there will be a gate at the end of the driveway so that it can be closed off at certain times. Mr. Gaylord said that there will also be a gate at the end of auditorium to prevent cars from passing through from one side to the other.

Mr. Phillips said that one of the things they would like to work with the Board of Selectmen is to establish a school zone on that end of Winnacunnet Road. Having a reduced speed in that area during the heavy traffic will help the traffic flow at a slower rate.

Mr. Zito said that he approached Mr. Barrington about a temporary plan until the 120 parking spaces are on line. We would need to get the students in a supervised fashion to put the cars in Tuck Field and Eaton Park. They had been allowed to park at the movie theater until they wore out their welcome and then at Tuck Field and Eaton Park until they again wore out their welcome. Mrs. Brown said that she was caught in the traffic on the first day and immediately saw that a change was made for parents. On behalf of Seabrook and the other towns, it is really nice to see the School Board and the Board of Selectmen talk because the communication had been lacking. There may have been emails and memos, but there was not follow-up and everyone was at fault.

Mr. Moore asked about the fee for parking. Mr. Singleton said that the fee is now \$75 for annual parking up from \$35. Mr. Moore said that he had thought that the parking would be solved this Fall. Mr. Zito said that they didn't know that the construction company was going to park near the construction, that they would need the tennis court lot.

Mr. Moore said that the Board of Selectmen will need to have a public hearing about eliminating the parking on Winnacunnet Road and around the school. Mr. Moore said that the spur is a bigger issue, if we legally can not abandon it we will need to recreate it in order to not violate the law. Mr. Moore agreed that Park Avenue was a disaster, but not too many people knew how bad it was, now that the traffic is on Winnacunnet Road, more people can see it. Safety is an issue and the parking needs to be solved. Mr. Moore said that he has no problem dealing with the use of Tuck Field and/or Eaton Park for a fee to cover the maintenance. Mr. Barrington said that the school has never been proactive with controlling the parking issues off site at Tuck Field and Eaton Park in the past and it is refreshing to hear that they are now.

Mr. Gaylord cautioned that one of the solutions is not to put jersey barriers across the new driveway. The jam up that used to occur in front of his office, and Alumni Avenue every morning and afternoon made it an impossibility to get an ambulance in during those times. The second entrance was for safety, they need to be able to get vehicles in and out safely.

Mr. Barrington said that he does not know why someone considered the original plan was an over-design and he asked if turning lanes were still a possibility. Mr. Pratt said that a traffic engineer needs look at this and give us the best solution to the situation. The ideas are good but we don't know what will work. Mr. Barrington said that he will find out the history of that through Mr. Mellin and Mr. Hangen.

Mrs. Bridle-Russell said that when this project was presented to the voters, the intersection was part of the plan. The Hampton voters have already voted on this, even if they were not aware of all the finite details of the plan. Mr. Singleton agreed that it was presented long before the votes, in many different settings and every time it was presented the access to Winnacunnet Road and the T intersection was discussed. Mr. Moore said that there may still need to be a vote to justify the abandonment, based on statutes. Mr. Barrington said that is a serious question in itself. The history of Park Avenue indicated that it was originally a T intersection and the spur was added subsequent to the original dedication. Nothing has been given away, and perhaps it is desirable to have a right turn lane, but the configuration that was there with the new driveway would not have been an unsafe situation. Mr. Barrington said that clearly the parking in that area is not contributing to the safety. There is a combination of issues and he does not believe that the town has abandoned anything. Mr. Griffin said that he would like to hear what Chief Wrenn thinks now that it is completed.

Chief Wrenn said that from a traffic control perspective, the T intersection is much safer and if the spur were to be opened it would be very dangerous and there would be some serious accidents. He said that he would have been in favor of the first proposal and it was not the police department that said it was over engineered. This year they are using different school busses which are longer, which could be contributing to the problem. Chief Wrenn said that there are T intersections all over town. Captain Sullivan has been monitoring the situation and he stated that he has not observed the busses crossing the yellow line, it is tight, but they are making it. Mr. Griffin asked Chief Wrenn if he works with Mrs. Park or the Highway Safety Committee. Chief Wrenn said that on occasion they may discuss an issue, but they are independent and advisory to the Board of Selectmen. The parking along Winnacunnet Road and Moulton Road is a bad situation, Chief Wrenn said that there are between 45-52 cars parking in that immediate area daily and cars are even parking on people's lawns. Chief Wrenn said that he likes the proposal of just using Tuck Field as an instant solution to get this resolved. If no parking ordinances are put in place for Winnacunnet Road, Moulton Road and Windmill Lane, no one can park there, including the residents.

Mr. Griffin said that it is obvious that a traffic study is needed and Mrs. Park could have some input on this which might help. Mr. Griffin said that he remembers that this was mentioned at many meetings, and he does hear people say that they didn't hear things, but people don't always pay attention. Mr. Singleton said these meetings are a good idea. Mr. Griffin said that a lot of people are guilty on this and we need to move forward. Mr. Griffin said that if we do allow parking at Tuck Field we need to know who will plow the snow and pick up the trash. Mrs. Bridle-Russell asked why the Town is paying for the busses as well as monitors for parking lots. She asked who it going to monitor parking at Tuck Field.

Mr. Pratt asked if a parking plan can be brought to the Board for next week. Captain Sullivan said that he could. Mr. Moore said that we should have a public hearing next week to eliminate parking in the area around the school. Mr. Barrington said that there may be an ordinance about parking in Tuck Field that may need to have a hearing to adjust. Mr. Moore asked if speed limits have to be addressed by Highway Safety Committee before a hearing. Mr. Barrington said that the Highway Safety Committee is advisory to the Board and can be used as the Board wishes. Mr. Moore asked the School Board if they are willing to consider a traffic study. Mr. Singleton said that he would be willing to take a look at that. Mrs. Kepner said that there is one with data that may be old, but she would like to look at that. Mr. Gaylord said that if the parking problem were eliminated, there may not be a need for a traffic study. He suggested that Tuck Field

be opened for one week as a test period. Mrs. Bridle-Russell asked if the Town would be charging WHS a fee for using our parking spaces. Mr. Barrington said that those are details that would have to be worked out. Mrs. Bridle-Russell pointed out that any revenue received by WHS goes to 4 towns. Mr. Zito said that the school would lease the lot for a temporary period for a fee and collect the fee from the students. Mr. Gaylord said that his advice to the Board would be to make this work because it is important. Mr. Barrington said that a public hearing could be scheduled for next week for no parking on Winnacunnet Road from Landing Road to a point certain. Chief Wrenn said that if the Tuck Field parking lot is able to be used, the police could set up temporary no parking barriers along Winnacunnet Road and Moulton Road, similar to what is done for July 4th, to discourage any parking along there while the transition is made.

Mr. Zito said that he would like to have the opportunity to simultaneously stop of parking on the roads and begin the parking at the Tuck lot. He said that it would take him about a week to pull it off; he would need stickers and be able to regulate it. Mr. Zito said that he could pull it off starting this week, if he could allow the parking free for the first week. Mr. Barrington said that they should keep the area by Kids Kingdom available for the parents and allow the parking by students at Tuck Field.

Mr. Pratt MOTIONED that the Board of Selectmen allow the students to park at Tuck Field and authorize Mr. Zito and Mr. Barrington to coordinate the transition to a paid parking lot at Tuck Field within a week, with temporary no parking on Moulton Road and Winnacunnet Road as controlled by the Police Department. A final report is to be presented to the Board of Selectmen regarding the fee and maintenance agreements that are reached..

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

Mr. Barrington asked the Board what they wanted to do in terms of an ordinance for a permanent situation for parking on Winnacunnet Road. Mr. Moore said that the School Board needs to work with Mrs. Park on a traffic study and determine if a new study is needed and the status of the spur needs to be discussed. Mr. Pratt said that he hopes that this parking arrangement solves some of the problems and that a solution is made on the intersection concerns within the next month or so. The School Board agreed to update the Board of Selectmen on September 28th.

2. Ellen Goethel, Conservation Commission, Re: Wetlands issue at Winnacunnet High School

Mrs. Goethel told the Board that the Conservation Commission has been dealing with wetlands issues at the high school for over a year and there have been some severe problems. The town's wetlands ordinance is different than the state regulations and last year an application was presented for the town's review. During a site walk they found several violations in conjunction with a tennis court that was built and the school worked to repair the violations. She explained that the tennis court was built within ten feet of a stream, ignoring the wetlands conservation district and the town's 50' wetlands buffer. Mrs. Goethel said that while disappointed, the Conservation Commission considered the issue with the tennis court resolved. They have now received an amended wetlands application because the tennis court location impacted the ball field and when they went on that site walk they found that 60' of additional wetlands had already been cut back.. Mrs. Thimble stated that the WHS School Board should be leading by example, not by violation. Mrs. Goethel said that this is not a personal issue on her part, the Town of Hampton has spent \$100,000 dollars to restore the salt marshes and wetlands in the town and the school is pushing out into them. She wanted the Board of Selectmen to know about these issues. She said that she asked to be put on the School Board's agenda to discuss this with them, but was told she would be only be allowed to speak during the public comment of their meeting. Mrs. Goethel requested that the Conservation Commission is requesting that the school offer some mitigation areas, putting some upland and all the remaining wetlands into conservation easements. Mr. Griffin asked what regulations the School Board can over-ride. Mr. Barrington said that he does not know the specific ordinances that they are exempt from, but he can look into that. Mrs. Goethel said that all the other Boards in the town abide by the wetlands ordinances, whether or not they are legally exempt from them. Mr. Griffin said that if they have some sovereignty, than the Board of Selectmen should know. Mr. Heaviside said that he was involved with the original design, which included the tennis court and site design, although he has not been involved with the adjustment of the baseball field. A wetlands permit application was filed and he was informed by Town Planner, Jennifer

Kimball, that they were exempt from the Town's planning and wetlands regulations. He said that when he learned that trees were chipped with the wood directed into the wetlands he was not happy with the violation, nor was the Conservation Commission or the State and that was quickly resolved. Mr. Griffin asked Mr. Barrington to determine what the school is exempt from for next week. Mr. Pratt asked how the communication can be improved. Mrs. Goethel said that the new town planner is fantastic and Barbara is doing a good job, but it was very difficult during the winter. Just because an entity does not have to abide by town rules, they are part of the community and they should be aware of what is important to the community. Mrs. Goethel said that she was comfortable with the efforts that were made after the tennis court problem and would have let it lie, but with the ball field now it is difficult to talk to them on a professional level. She asked that the Board of Selectmen write them a letter asking the School Board to consider the Town's wetlands ordinances in their continuing construction.

Mr. Vic Lessard informed the Board of Selectmen that he had just learned that long-time resident and antique dealer, Mr. Bob Webber had died.

Mrs. Kepner said that as Chairman she controls the agenda and the School Board would be happy to have Mrs. Goethel meet with them. Mrs. Kepner said that she remembers some of the wetlands issues coming up and she understood that they had the State permits for the work. Again, she said this is where a Town checklist would have been very helpful.

3. Trustees of the Trust Funds, Re: Investment Policy

Mr. Eastman said that the Trustees were invited to discuss the investment policy for the Real Estate Trust Funds. He said that he was very involved with the establishment of the Statutes for the sale of leased land and the main concern was that the revenue from the land that was sold was kept intact and not used for other purposes. The policy had safeguards written into it and only one amendment was made a few years ago. There is approximately \$16 million in the account. Mr. Eastman noted that he is also the chairman of the Leased Land Real Estate Commission and there are approximately 37 lots remaining that have not been purchased. The main purpose tonight is to review the work that Mr. Mackensen did; the principal is currently 100% protected with the way it is invested, although the principal does not grow. Mr. Mackensen has suggested a method that would return interest to the principal with a percentage of the interest being used to offset the tax rate. Mr. Eastman said that he has asked residents about their feelings on this, and their concerns have been with how the interest will help them that year, not years into the future. Last year \$534,000 was used to reduce the taxes. At this point every dime earned is being turned over to the tax payers. If some of the principal is invested, there is a risk to that money. Mr. Eastman said that Mr. Mackensen is very interested in this and has presented his suggestions to the people of Hampton at three candidate's nights, but he has not been elected. He needs the Board of Selectmen to support the Bill so that it can be brought forward to the legislature. If the Town Meeting would approve the change, the Trustees would consider a change to the investment policy. Mr. Eastman noted that Mr. Mackensen could bring a warrant article forward himself with 25 voter's signatures. Mr. Eastman noted that DRA had told the Trustees that safety should be the foremost objective for the Trust Funds. The Trustees of the Trust Funds do not recommend that the Board of Selectmen go forward with Mr. Mackensen's recommendation.

Mr. Lessard told the Board that when he voted for the leased land sales program, he was doing the construction work for the HBIC at the time, and he felt it was time to let the building owners buy the land. The only time the Trust Funds lost money, was when \$10,000 was invested in a bank and was lost. Mr. Lessard said that the article should not be put on by the Board of Selectmen, but if the people want to put it forward that is fine. As Trustees, they feel they are doing the job they were elected to do. If the Board of Selectmen were to put forward the article it would look like the Board was working against the Trustees. Mr. Eastman said that one of the reasons there are still 37 leased lots is because some people cannot afford to buy their land, but want to remain on the land.

4. Geanina Scanlon, Re: Report of Sidewalk and Parking Committee

Mrs. Scanlon requested to be postponed until September 19th due to the late hour. She requested that she be provided with the following information prior to the meeting: the line painting plan for Ashworth Avenue;

the final plan for loading zones, particularly A Street; and the list of items that have been cut in order to keep the project on budget. Mrs. Scanlon said that she will be prepared to review specific results of the survey she completed with the Board of Selectmen.

5. Mr. Peter MacKinnon, Cable Committee Purchase Request

Mr. MacKinnon requested authorization to expend \$5,000 for wireless equipment from the cable special revenue fund. He noted that they have received two bids for the equipment from companies that are able to provide support to the committee.

Mr. Moore MOTIONED that the Board of Selectmen authorize the cable committee to spend up to \$5,000 to purchase wireless equipment.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

III. OLD BUSINESS

Town Manager's Report

Art Gift

Mr. Barrington announced that local artist, Mr. Harold LaPointe, who has generously shared his artistic talents with us for the past several years has stopped by and changed the pictures that have been on display. A new collection of his work is now on display in the Town Office. While he delivered his paintings, he picked up a copy of the Town Report, and in about a week, he returned to give us a painting of our new police station. Noting that he had contributed a painting of the new Town Office when we moved in almost six years ago, he asked if the Police would like to have his latest painting to display in their new station.

Fire Department Personnel

In response to the Board's direction to examine possible savings that would allow the restoration of some or all of the Fire Department positions that were either eliminated or laid off, the Town Manager offered the following mixed news. Working with the Fire Chief and Finance Director, they have identified \$68,000 in Unemployment (4196.9.250) that was budgeted in anticipation of claims from laid off employees that was not needed. Mr. Barrington said that this is approximately enough money to restore all six positions in question beginning in November or December, it is important to note that the removed positions are not currently included in the 2006 budget that is being prepared. As of the time of this writing, the proposed budget being sent to the Board of Selectmen reflects an increase over the current 2005 budget of slightly less than 2%. To restore these positions for all of 2006 would add about \$420,000, making the increase in the range of 3.75 %. Mr. Barrington said that the Board needs to be aware of that impact while considering its policy in relations to the staffing levels.

Mr. Barrington said that a responsible budget is about a 25% increase, but that is not what he is going to bring to the Board. We are looking for ways to economize. He would like some policy direction from the Board. Mr. Moore said that the Board is so close to the budget discussions it would be fool hearty to make a decision for two months when there could be another crisis in March. He would still question the need and the desire to bring back the Deputy Chief of Operations position, but he will not fight hard against the four firefighters. Mr. Moore said that he would want to have a budget that he will not have to lay off people again next year, it was not an easy process for anyone. Mr. Moore said that if the Board decides to add the money to the 2006 Fire Department budget, it will have to come out somewhere else.

Mrs. Bridle-Russell said that if Hampton was assisting another town to the extent that they are assisting us, the Board would be upset. She said that the Board has to look at budgets very differently this year; focusing on the three major departments for the safety of the residents. She is concerned that we are considering money for a vacuum truck and not for four firefighters. Mrs. Bridle-Russell said that the Board has to take care of the basic needs with this budget. Mr. Griffin said that we could look at this over and over again, there are many areas that should be funded. He pointed out that Kingston is talking about a death from EEE and that is a concern for Hampton as well. Mr. Griffin pointed out that the departments

have gotten by this far and the Board does not know what will happen next year. At this time he is not in favor of restoring the firemen. Mr. Pratt said that the money is there to restore them until the end of the year, but the money to keep them is not there. He said that he can't go to the public with a 3.7% budget increase for 2006; we will get another default budget. Mr. Barrington said that the 2006 default budget is likely to be smaller than the current default budget due to some debt service decreases. Mr. Pratt said that he is concerned with call backs and it bothers him that people are not coming back when they are called back. He thinks that is something that may need to be looked at in the contracts. He said that he questions some of the mutual aid numbers and was told by North Hampton that what they are providing is about normal. Mr. Workman said that he was in favor of hiring the firefighters back but he has a concern with hiring them and then having to lay them off shortly after. Mr. Workman asked why the TAN is up so much. Mr. Barrington said that the surplus was reduced, which is normally what is used to carry the expenses further into the year, so more money had to be borrowed at a higher rate. Mr. Workman said that the positions will be a discussion on October 10th with the Fire Department's budget proposal.

Mr. Barrington said that as much as he would like to recommend to the Board of Selectmen that the positions be returned as soon as possible, he would like more time to work through the budget. He said that a draft default budget number will be available this week, with the proposed 2006 budget for the Board's review. Chief Lipe said that contractual issues and overtime would be a problem with mandatory callbacks. Chief Lipe also emphasized that his statistics on mutual aid are accurate and he was willing to discuss Mr. Pratt's concerns with him.

Heritage Commission

Mr. Moore told the Board that the Heritage Commission has been approached by a text book publisher requesting permission to reprint an informational brochure that was written by Elizabeth Aykroyd. The Heritage Commission is in favor of allowing this use.

Mr. Moore MOTIONED that the Heritage Commission be authorize to allow the reprint of the brochure written by Elizabeth Aykroyd and that there be no fee charged.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

VI. PUBLIC COMMENTS

Mr. Fred Rice said that even if the spur onto Winnacunnet Road from Park Avenue was not part of the original layout, it has been established by prescription and just closing it will not constitute a discontinuance. He suggested that a temporary road be put back until Town Meeting.

Mr. Charlie Preston said that he had concerns with the Town incurring expenses to move a pole or have a traffic study done. He suggested that the intersection be reconfigured into a V intersection.

Mr. Michael Scanlon drew a proposed road layout for the Board to consider on the whiteboard.

Mrs. Geanina Scanlon echoed Mr. Rice's concern that something has been done that will get the town in legal trouble. She said that Town Meeting votes need to be protected and the Board of Selectmen goes around those votes. She asked the Board to try and do the right thing for the Fire Department, noting that Chief Lipe has given his best effort to provide what the town needs. The Fire Department is the one department that looks over the health and safety of all of us. Mrs. Scanlon said that the Fire Department's budget should be heard first.

VII. ADJOURNMENT

Mrs. Bridle-Russell MOTIONED that the meeting be adjourned. (12:17 AM)

Mr. Moore SECONDED

VOTE: UNANIMOUS FOR

Chairman

