

*****Draft – meeting minutes
HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
FEBRUARY 25, 2008 – 7:00 PM**

PRESENT: Ben Moore, Chairman
Bill Lally, Vice Chairman
James Workman
Virginia Bridle-Russell
Rick Griffin
Fred Welch, Town Manager
Maureen Duffy, Administrative Assistant

REGRETS:

PUBLIC HEARING

Pursuant to NH RSA 31:95-d, I(b).

Article 58

(As Petitioned) Shall the Town of Hampton, in recognition of the economic activity generated in the Hampton Beach Village District and in recognition of the need to provide infrastructure to maintain such activity, adopt the provisions of RSA 31:95-c to restrict 20% of the gross lease and rental income from the Town's parking areas located within the Hampton Beach Village District to expenditures for the purpose of infrastructure improvements within the Village District boundaries and for properties which are owned by the Town. Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the HBVD improvement fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of revenue. The infrastructure items will be determined by the Precinct Commissioners, Public Works Director and the Town Manager at budget time. ~~The purpose of the first year expenditure shall be lighting on the lettered streets.~~

Chairman Moore opened the public hearing at 7 p.m. He noted that Article 58 cannot be amended and will be placed on the ballot as presented.

Bonnie Searle (16 Penniman Lane) is pleased that the public gets a chance to voice their opinions on Article 58 prior to the March 11 Town Meeting vote. Mrs. Searle said that she would like to see all the revenue generated from Town parking lots go to the General Fund to reduce taxes. She encouraged voters to vote "no" on Articles 58 and 59 (lighting at the Beach).

Richard Reniere (29 Highland Avenue) is in favor of Article 58. Mr. Reniere briefly described the history of beach parking revenue. In 1996 the voters approved Article 41 to permit 20% of the parking lot revenues to improve and maintain Hampton Beach. This Article was rescinded in 2007 (Article 45). Mr. Reniere pointed out that many people did not vote on Article 45 because of the length of the 2007 Warrant. The Article was on the last page and by the time most voters got to it they did not respond. Mr. Reniere does not believe last year's vote was a fair evaluation of that Warrant Article and noted that traditionally the funds have been used to create a safe venue for Town visitors. He also mentioned that the majority of the work is accomplished through

dedicated volunteers. Entertainment and attractions such as the Tops in Blue at the Seashell Stage and the Sand Sculpture competition is paid for by the Precinct with the funds generated by parking lot revenue. Mr. Reniere noted that there are still funds available to the Precinct for the decorative lighting project however; it requires a Town meeting vote to expend. He also pointed out that tourism is Hampton's main industry and that the Beach is the main attraction.

Charlie Preston (47 Glade Path) provided a brief history of the Precinct parking lot revenue Articles. In 1995 the Article was postponed because a public hearing was not held. A year later the Article passed (Article 41-1996 Town meeting vote). In 2007, the voters rescinded 1996, Article 41 and created a new fund by passing Article 44. The intention of this Article is to restrict 20% of the gross lease and rental income from the Town's parking areas located within the Hampton Beach Village District for the purpose of construction or reconstruction of recreation infrastructure within the entire Town; not just the Beach. Mr. Preston also noted that it was not his intention to have Articles 44 & 45 towards the end of the 2007 Warrant. He turned the petitioned Articles in at the deadline and they were placed in the order they were received.

Michael Pierce (16 Hedman Avenue) said that voters need to look at the Town as a whole. That is, disburse the parking lot revenue throughout the Town and not just the Beach. Mr. Pierce noted that the tennis courts are a mess and desperately need to be repaired.

Maureen Buckley discussed the 2007 Article 45 recount. There was a 15 vote difference and pointed out that many people did not respond. She believes that if citizens are better informed they will support the 2008 Article 58 that reestablishes the funding for the Beach infrastructure. Ms. Buckley encouraged residents to vote "yes" on Articles 58 & 59.

Chairman Moore closed the Public Hearing and then reopened it for another comment.

Geannina Guzman-Scanlan is concerned of the separation between the Precinct and the Town of Hampton. She noted that Article 58 is intended to continue investing in the infrastructure of the Beach and to make it more attractive to tourists. Mrs. Guzman-Scanlan mentioned that the Article will provide the funds needed to continue with the decorative lighting project; which is part of the Precinct Master Plan. She also mentioned that Article 59 (Decorative Lighting) is requesting permission to expend the money already set aside for the purpose of Beach improvements. Mrs. Guzman-Scanlan encouraged citizens to vote "yes" on Articles 58 and 59.

Chairman Moore closed the Public Hearing at 7:20 p.m.

Chairman Moore called the meeting to order at 7:20 p.m.

SALUTE TO THE FLAG

Chairman Moore introduced those in attendance.

I. ANNOUNCEMENTS AND COMMUNITY CALENDAR

The Board thanked Maureen Duffy for her years of service.

Chairman Moore announced that the Hampton Handbook is on the website and will be going to print in the near future. He also noted that there is a Public Hearing at the Police Department headquarters regarding the Seashell Stage on March 5 starting at 6 p.m. In addition, he reported that the AARP is conducting free tax aid for seniors and lower income residents. In order to receive the federal rebate, an income tax return must be filed. Mr. Moore asked for both of these items to be posted on the website and on Channel 22.

II. APPOINTMENTS

1. FINANCE DIRECTOR MIKE SCHWOTZER – JANUARY’S FINANCIALS

Mr. Schwotzer reported that at this point the Town is in good financial standing. Mr. Lally asked what the worst case scenario would be for staff retirement and leave pay. Mr. Schwotzer said that he does not have a good prediction and is uncertain to what the NH Retirement System will do in the future.

Mr. Moore asked about the Police, Fire and Recreation departments, as they are spending more than 1/12 of their overtime budget. Mr. Schwotzer said that there is a nonexempt salary Recreation employee who is working a lot of hours due to the number of winter programs offered through the Department.

Mr. Schwotzer submitted a draft of the Investment Policy. The item will be addressed at the March 10th meeting.

2. PUBLIC WORKS DIRECTOR JOHN HANGEN – DEPARTMENT UPDATE

Director Hangen reported two personnel advancements within the Department. Ryan Sharpe has been promoted to Rubbish Working Foreman and Russell Nickerson has been promoted to Highway Working Foreman.

The Highway Crews have been busy with many snow falls during January and February. The cost of salt is going up which impacts the Public Works budget. Mr. Hangen noted that the Department tries to keep salt use to a minimum; however, society demands safe, clear roads.

Mr. Hangen asked residents to contact Public Works to report pot holes.

The Director noted that under the “un-audited report” in the Town report it was indicated that the Public Works Department went over budget in 2007. With the spring floods there was a lot of the money spent and then reimbursed by FEMA; putting the Department back in the “black”.

Mr. Hangen reminded residents that “free” wood is available at the transfer station.

Mr. Lally thanked Mark Richardson (Transfer Station Coordinator) for attending the Recycling Committee meeting. The Committee has made a lot of progress and Mr. Richardson has been a big help.

Mr. Griffin asked about the absent “Do Not Enter” sign at the corner of Park Avenue and Winnacunnet Road. Mr. Hangen was not aware that the sign was missing and will make arrangements to have it replaced. Mr. Griffin also asked if there is a reason why water is pooling at 17 & 18 Ocean Boulevard. Mr. Hangen said that there is poor drainage in that area. Mr. Griffin also noted that the Energy Committee requested that the Selectmen support their effort in achieving funding to utilize the landfill as a “Green Field”.

III. MINUTES – FEBRUARY 11, 2008

Page 2 – Under February 4, 2008 minute corrections – item should read “...can be made operable or merchantable.”

The February 11, 2008 minutes stand approved as corrected.

IV. OLD BUSINESS

1. TOWN MANAGER’S REPORT

On Wednesday, February 13th the Seabrook Station conducted a drill. As part of that exercise they operated the on-site warning siren at 8:15 a.m. Mr. Welch noted that the Town was not notified by the State Department of Safety of the tests until 9:55 a.m. and by the State Office of Emergency Management until 10:56 a.m.

Mr. Welch reported that two of the old lavatories in the Town Hall were changed out last week reducing the consumption of water from 7 gallons to 1.4 gallons per use. He also noted that the interior lighting in the Town Hall was changed over some time ago resulting in energy saving over the last two years.

DRED Seacoast Regional Supervisor Brian Warburton informed the Town Manager that the United States Air Force Tops in Blue will be returning to Hampton Beach on August 8th to perform another musical event.

Mr. Welch also reported that the 2008 Shades of Ireland Tour is being sponsored by Parks and Recreation. The trip is scheduled for September 19-28. Further information is available at the Recreation Department.

Selectmen’s Response to the Town Manager’s Report

Mr. Workman asked if the Tops in Blue are looking for host families. Mr. Welch reported that they are.

2. APPOINT RPC MPO MEMBER

Mr. Workman MOTIONED to appoint Jamie Steffen and Warren Bambury as the Rockingham Planning Commission (RPC), Metropolitan Planning Organization (MPO). **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

V. NEW BUSINESS

1. APPOINT ACTING TOWN MANAGER

Mr. Griffin MOTIONED to appoint the Michael Schwotzer as the Acting Town Manger while Mr. Welch is on vacation from March 28 to April 8. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

2. CHAMBER OF COMMERCE – BOS REPRESENTATIVE REQUEST

The Hampton Chamber of Commerce has requested that a representative from the Town of Hampton attend their monthly meetings.

Mrs. Bridle-Russell MOTIONED to nominate Mr. Griffin as the Town of Hampton representative to the Chamber of Commerce. **Mr. Lally SECONDED.**

VOTE: UNANIMOUS FOR

3. CANDIDATES NIGHT

Mrs. Bridle-Russell MOTIONED to approve the annual Town candidates' night on March 4 in the Selectmen's meeting room and to be broadcast on Channel 22. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

4. ENGAGEMENT OF CDBG ADMINISTRATOR

Mr. Workman MOTIONED to award Neil Cannon (the lowest bidder) as the CDBG Administrator. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

5. SALE OF STATE OWNED LAND IN HAMPTON

The NH Department of Transportation is proposing to sell two (2) parcels of State owned land located on the southerly side of NH Route 101, just east of NH Route 111 in the Town of Hampton. The parcels are Tax Map 7, Lot 1 (two acres) and Tax Map 7, Lot 2 (three acres). Mr. Welch reported that the properties are land locked and are being disposed of by the State. The Town Manager has received communication from the Conservation Commission expressing interest in purchasing the property with the permission of the Selectmen.

Both parcels of land combined are assessed by the Department of Transportation for \$115,000. Mr. Welch reported that the Conservation Commission has enough funds to cover the cost of the property.

Mr. Lally MOTIONED to authorize the Conservation Commission's letter to enter into negotiations with the NH Department of Transportation in effort to acquire this property at a reduced price and to keep the Board of Selectmen informed of the negotiating status. **Mrs. Bridle-Russell SECONDED.**

**VOTE: 4 FOR
OPPOSED – Mr. Griffin**

6. PURCHASING POLICY

It was the consensus of the Board to go with the policy as presented with the amendment to the last Section being renumbered to 7 rather than 6.

7. PARADES AND PUBLIC GATHERINGS

A fee of \$5 has been added.

Mr. Workman noted that the last Section (Effective) should be renumbered to "10" rather than "9".

This item will be on next week's agenda.

8. REGULATION OF BILLIARD TABLES, POOL TABLES AND BOWLING ALLEYS

The fee will be raised from \$5 to \$10.

Mr. Workman MOTIONED to adopt the Regulation of Billiard Tables, Pool Tables and Bowling Alleys. **Mrs. Bridle-Russell SECONDED.**

Discussion:

Mr. Workman noticed there is a spelling error in the first paragraph (paragraph should read "... authorizing the Board of Selectmen to...")

Motion WITHDRAWN

Item will be on next week's agenda.

9. AGREEMENT BETWEEN THE BOS AND CONSERVATION COMMISSION FOR THE LAMPREY/LEAVITT TOWN PROPERTY

The Town of Hampton owns the Lamprey/Leavitt Property, Tax Map 76, Lot 15 which abuts property (tax Map 96), Lot 3) acquired by the Town of Hampton Conservation Commission from Pondsides, LLC that composes the vast majority of the remainder of the Lamprey/Leavitt Ice Pond and is near the dam and associated easements conveyed to the Commission by Malcolm E. Smith, III.

The agreement reads that the Conservation Commission should manage and protect Tax Map 76, Lot 15 in the name of the Town of Hampton utilizing funds from its conservation fund. The agreement includes a number of general conditions to be followed by the Commission. The Conservation Commission has expressed concern regarding item #2 - "No Hunting will be Permitted on the Property" since hunting is allowed on Conservation property. The issue with this specific property is the close vicinity of neighboring homes. The Conservation Commission is meeting tomorrow night and they may have amendments to the contract.

Item will be added to next week's agenda.

10. GOVERNING WORK IN PUBLIC WAYS & PLACES & THE EXCAVATION OF STREETS

Mr. Workman MOTIONED to approve the Governing Work in Public Ways & Places & the Excavation of Streets Selectmen's Ordinance. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

11. CONSTRUCTION STANDARDS FOR STREETS & ROADS

Mr. Workman MOTIONED to adopt the Construction Standards for Streets and Roads. **Mrs. Bridle-Russell SECONDED.**

VOTE: UNANIMOUS FOR

12. APPOINT HAMPTON BEACH COMMISSION MEMBER

Item will be addressed at a later date once resignation has been received by the Town Clerk.

OTHER NEW BUSINESS

Mr. Lally mentioned that the Recycling Committee is proceeding with a test site.

Chairman Moore announced a non-meeting immediately after tonight's meeting.

Mrs. Bridle-Russell MOTIONED to enter into a nonpublic session under RSA 91-A:3 II(a) immediately after tonight's meeting. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR by roll call

Energy Committee Chairman Ann Carnaby addressed the Board and explained that the Committee would like to apply for funding through the Rockingham Planning Commission to use the capped landfill (Brown field) as a "Green Field" for a place to put solar panels and/or wind turbines.

Mrs. Bridle-Russell MOTIONED to send a letter of support to the RPC asking for EPA funding to support the "Green Field" project feasibility study. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

The Town Manager will generate a letter and it will be available on February 29. It was the consensus of the Board that the Town Manager may sign the letter on behalf of the Board.

VI. CONSENT AGENDA

Mr. Workman MOTIONED to accept the Consent Agenda as presented. **Mr. Griffin SECONDED.**

VOTE: UNANIMOUS FOR

VII PUBLIC COMMENTS

Finance Schwotzer discussed Mr. Hangen's comments from earlier in the meeting about the FEMA funding. He noted that on page 110 of the Town Report there is a full financial explanation for 2007.

Bonnie Searle said that she is disappointed that there is no financial audit in the Town Report. Chairman Moore explained that there is a shortage of municipal auditors in the State and that they cannot get all of the work done. Mr. Welch noted there is no statute requiring an audit report be printed in the Town Report. Once the

audit is complete it will be made available to the public. Mrs. Searle asked how the State acquired the land that is for sale. Mr. Moore said that he did not know. The DOT letter indicates that the State acquired the property in the 1960's. Mrs. Searle questioned if the property was taken by Eminent Domain and if that was the case perhaps the State should consider returning it to the Town at no cost. Mrs. Searle also expressed her concern about Town officials not using the official name of "Ruth G. Stimson Park". She believes that it is disrespectful to an individual who worked hard to make Hampton a better place. Mrs. Searle also requested that a notice be added to Channel 22 and the website letting residents know that Town Reports and absentee ballots are available.

VIII. CLOSING COMMENTS:

None

IX. ADJOURNMENT

Mrs. Bridle-Russell MOTIONED to adjourn at 9:28 p.m. **Mr. Workman SECONDED.**

VOTE: UNANIMOUS FOR

Chairman