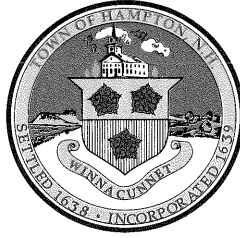


Town of Hampton



TOWN OF HAMPTON MINUTES OF THE BOARD OF SELECTMEN MONDAY, MARCH 30, 2009

PRESENT: Richard Nichols, Vice Chairman
William Lally
Richard Bateman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

REGRETS: Richard Griffin, Chairman
Gerald Znoj

7:00 PM

Vice-Chairman Nichols called the meeting to order at 7:00 PM and introduced the members of the Board.

SALUTE TO THE FLAG

- I. Public Comment Period - None
- II. Announcements and Community Calendar - None
- III. Appointments
 1. Fire Chief Silver – Fire Departmental Update

Chief Silver provided the Board with a handout that describes National Incident Management System Training that is required and gave them a breakdown of the trainings that must be taken.

Chief Silver discussed the following topics: right on par with last year, number of transports increased by 5%, two notable fires on March 13th one at the Sea Ketch starting in some trash barrels and the other at Lupo's caused by a dryer, personnel update three members participating in required training "Certified Firefighter Program", received resignation from probationary firefighter, now have two unfilled vacancies, one firefighter out on workers comp, a captain out on sick leave and today received notice that an additional firefighter will be out with an illness for up to six months, watching grant programs that are becoming available, applied for Emergency Management Planning Grant which will fund some needed IT equipment, applied for a Fire Prevention and Safety Grant, in January increased fleet

maintenance expending just over half of the budgeted amount for maintenance, a large amount of the maintenance cost has been spent on outside labor, the Talking Phonebook has the wrong number listed for non emergency calls for the Fire Department, non emergency number is 926-3316, will be moving forward with collecting information for the Fire Station study and lastly there is supposedly some Federal Stimulus money for Fire Stations which he will be watching closely to see when it becomes available.

Questions:

Mr. Lally asked about the stimulus money and where the information will be coming from. Chief Silver explained that the information should come through the Governor's office. Mr. Lally suggested that the Board bring this to the State Rep's attention when they come in and ask them to keep an eye out for this money.

Mr. Nichols commented that he heard at one time that dryer vents were actually the single largest source of residential fires. Chief Silver stated that dryer vents are among the leading cause of residential fires but in the State of NH, the leading cause is actually alternative heating systems. Chief Silver expressed the importance of cleaning the ductwork and not just the screen.

2. Geannina Guzman-Scanlan and the Kepner's— Earth awareness Fair Events

Provided the Board with a schedule of events. There has been an incredible amount of excitement for the event. A problem they have faced as a committee is in regards to insurance. This is the main reason they have come back to the Town tonight to see if they would be able to secure insurance through the Town. They wonder if the Board might be willing to have this event sponsored by the Town.

Mr. Kepner explained what they have been going through in regards to securing insurance and that he had spoken with the LGC and EBI about insuring third party vendors, he was informed that Swap Meets, Yard Sales and the like are not insurable through the LGC and EBI on behalf of Town for third party vendors.

Mr. Kepner stated that he has received estimates for the event through a private insurance company for the third party vendors insurance and the estimates were between \$400 and \$800 or could be more. The third party insurance and types of activities tend to be what raises the cost. Mr. Kepner is not sure exactly what the Board can do to help but he wonders if something can be done through the Town's insurance with LGC.

Discussion

Mr. Lally pointed out that this is an official Town committee, so he wonders if they are under the Town's umbrella as an entity.

Mr. Welch explained that the committee members themselves are covered for their activities, but the inclusion of third party vendors under the Town insurance policy is not allowed. Mr. Welch explained that the Town cannot provide insurance to third parties, as those parties are not part of the Town. Vendors need to have their own liability insurance; the selling of food will have completely different issues in that you need the insurance as well and that is also involves the health inspector. The walk would need a parade and public gatherings license, which is not

difficult but that license also requires a certificate of liability to be submitted with the Town as a certificate holder. The Town's insurance would cover what the committee wants to do as long as the third party vendors have their own insurance. Mr. Welch talked at length with LGC and they said that they would never write up a policy for something like this since the liability is such an unknown.

With respect to the City of Portsmouth, Mr. Welch has spoken with the City's counsel about the Sustainability Fair and what role the City played in with respect to insurance and was informed that the City never insured any third party vendor, and that all the vendors were all non-profit entities and had provided their own insurance.

Mr. Lally asked how the Rec Department does things like Field Days and stuff. Mr. Welch explained that the Rec Department does have a policy but it is very different then this and it would not cover something like this.

Mr. Lally wanted to make sure that they speak with Winnacunnet to make sure that there will not be a charge to use the Lecture Hall.

Ms. Kepner just wanted to speak to the community that this event is bringing together. They would appreciate anyone that is interested to come to the meetings and join if they would like.

Mr. Lally commented that if they are short members they can come to the Board to advertise that they need members.

Mr. Welch asked that any committee who is short members please send a note to the Board.

Ms. Guzman-Scanlan summed up by stating basically that they will do everything except the third party participants.

Mr. Bateman wondered if they had considered an alliance with the PTA/PTO through which they might be able to get food service. If you are joining an educational field and these events take place in an educational venue you may find a number of parents and students stopping by and pitching in to help. The Board has to be somewhat distant from a vendor. Mr. Bateman also expressed that the committee would be willing to except any donations or grants that might be available to them. Mr. Bateman also suggested that they might see about teaming up with one of the many schools who come down each year and participate in a walk along the wall to clean up the beach.

Ms. Guzman-Scanlan explained that the walk is not a cleanup walk but more of an educational/changing attitudes walk.

On a side note, Mr. Bateman commented on the irresponsibility of the dog walkers and he has never understood the mindset that they can carry the bag and still try to get away with not picking up after their pet.

Mr. Lally MOTIONED to allow the dual committees working in concert with each other be able to have their Hampton Earth Week Awareness Schedule beginning April 18th and runs through April 22nd at various locations and will post this on channel 22, at Town Hall, Library and on the website. Mr. Bateman SECONDED.

VOTE: 3-0-0

IV. Minutes of March 23, 2009

Mr. Bateman MOTIONED to accept the minutes of March 23, 2009. Mr. Lally SECONDED.

VOTE: 3-0-0

V. Town Manager's Report

The dates for the 20th Annual Hampton Beach Seafood Festival have been set. The Festival will occur from September 11 to September 13, 2009.

We have been notified by a call from the State DOT Commissioners Office that the work on the Harbor Bridge will continue through June 19, 2009. The bridge is scheduled to be open to two-lane traffic starting Memorial Day Weekend. The work is slated to begin again on September 19, 2009 through the following Memorial Day 2010.

The handicapped crosswalk work for Route 1A at Winnacunnet Road is scheduled to begin on May 1, 2009.

The Town Public Works Department is again scheduled to work Saturday, April 4th to pickup Ice Storm brush. Please move your brush to the edge of the roadway for pickup. We will not be able to take brush over 6 inches in diameter or more than 8 feet long.

House Bill 223 has passed both houses of the Legislature and will be sent to the Governor for signature. If signed by the Governor it will allow the removal of the \$650,000 spiking charge contained in the Town Budget.

He received a letter from Southeast Regional Refuse Disposal District 53B who would like to arrange for a household hazardous waste collection day on May 9th from 9 am to noon behind the old Town Hall. This was granted last year. This will need to be approved by the board.

We did not assign a representative or alternate representative to the Heritage Commission. Mr. Bateman will fill this vacancy.

We have a proposed letter for the Town of Rye from the Board of Selectmen in regards to the vote at Town Meeting. The notice needs to be signed by a majority of the Board and the Town Manager will sign the primary letter.

Town Counsel sent a copy of a letter to the Board in regards to the vote at Town Meeting on the Galley Hatch Restaurant. The Board needs to properly advise the Town Manager as to whether or not he should send the letter. The letter is addressed to Jamie Steffen.

We have a Municipal Decorative Pole Attachment Application and License. This deals with the banners that are being put up down on the beach. The Board is the licensing authority so they would need to vote to give the Town Manager the authority to sign.

Mr. Bateman MOTIONED to give Mr. Welch the authority to sign the Municipal Decorative Pole Attachment License. Mr. Lally SECONDED.

VOTE: 3-0-0

The Town has received from Eugene Ritzo a copy of all the material he had with regards to the proposal he had a number of years ago for a parking facility and monorail system for the beach.

With the Boards permission, Mr. Welch would like to forward this material to the Planning Board and the Hampton Beach Area Commission for their study. When this was originally proposed to the Town, it was to be done at no cost to the Town.

Discussion

Mr. Nichols thinks that the Board should work with the Galley Hatch as much as possible. However, he does see the point of sending the letter since it would not make sense for the Planning Board to be approving a plan that allowed development on Town property.

Mr. Welch expressed that that is the essence of the letter.

Mr. Bateman feels that this should be tabled until we have a full Board.

Mr. Nichols questioned if Mr. Bateman would like to table the approval of the signing of the letter by the Town Manager until the meeting on April 13th. Mr. Bateman confirmed that this is the case.

Mr. Nichols asked if there could be an appraisal of the land and a cost for the intersection.

Mr. Bateman asked about the Leased Land Agreements. Mr. Welch said that we had received two so far.

Mr. Nichols asked about the hazardous waste collection and if it was only for residents who owned property. Mr. Welch will get clarification on this but he believes that it is for all residents.

Mr. Lally MOTIONED to grant permission to Southeast Regional Refuse Disposal District 53B to hold a hazardous waste collection on May 9th. Mr. Bateman SECONDED.

VOTE: 3-0-0

VI. Old Business

Mr. Nichols brought up the Beach Fire Station Lease and wondered if a date has been set to meet with Beach Village Area Commissioners. Mr. Welch confirmed that a date was set for April 13th for the Commissioners to come before the Selectmen.

Mr. Bateman complimented the mason that went in and rebuilt the support wall from the accident at the Beach Fire Station.

VII. New Business - None

VIII. Consent Agenda

1. Authorize Town Manager to sign application/license for the installation of decorative Banners on Ocean Boulevard "Unitil's" utility poles.
2. Leased Land Agreements: 5 Epping Avenue & 50 Ancient Highway
3. 2008 Sewer Abatements – totaling \$60,949.98

Mr. Bateman MOTIONED to move the Consent Agenda. Mr. Lally SECONDED.

VOTE: 3-0-0

IX. Closing Comments

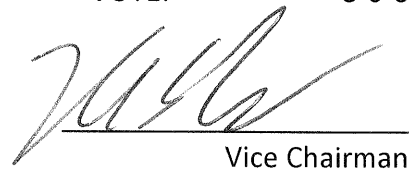
Mr. Bateman wondered if we could find out the number of structures that are connected to the Sewer in Exeter.

X. Adjournment

Mr. Bateman MOTIONED to adjourn. Mr. Lally SECONDED.

Meeting adjourned at 8:18 PM

VOTE: 3-0-0



Vice Chairman