

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, OCTOBER 27, 2008

7:00 PM Non-Meeting with Legal Counsel – RSA 91-A:2, I, c
PRESENT: William Lally, Chairman
 Richard Griffin, Vice Chairman
 James Workman
 Richard Nichols
 Richard Bateman
 Frederick Welch, Town Manager

Chairman Lally called the meeting to order at 7:35 PM

SALUTE TO THE FLAG

Chairman Lally introduced those in attendance.

I. Public Comment Period

Dick Schuck, 18 Boston Ave, the reason he is here tonight is to make his views known on the handicap parking spaces in Hampton. He believes that the Town needs to come up with some rules and regulations in regards to handicap parking spaces.

Kathy Keer, 7 Boston Ave, is also here to talk about handicap parking at the beach. She feels that it is unacceptable for there to be a handicap space at 17 J Street since there is no handicap person living at this address.

Andrew Guthrie, 9 Boston Ave, is also here to talk about handicap parking. He is in favor of the handicap space being granted to 19 Concord Ave. He also wanted to compliment Rick Griffin for wanting to donate the \$5,000 to the USS New Hampshire.

II. Announcements and Community Calendar

Mr. Bateman wanted to let the public know that the Recreation Department will be having Halloween functions on Wednesday. Contact the Recreation Department for further details.

Mr. Workman announced Trick or Treat this Friday from 5:30 to 8, this Saturday from 10 to 2 the Fire Department will be having their annual open house at Fire Station 2, and this Saturday and next Saturday boy scouts and girl scouts will be out scouting for food.

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Mr. Lally stated that political signs on Town and State property are not allowed. He asked that the local democratic and republican offices have them removed from 5 Corners, Locke Rd and Winnacunnet Rd, Park Ave and Winnacunnet Rd, and they are all over State property at the beach.

III. Warrant Articles for discussion and vote

Mr. Nichols suggested that we tackle the warrant articles and start with the seven that Mr. Welch set as priority. The Board agreed that was a good way to go about reviewing the warrant articles.

Warrant Article 2

APPROPRIATION OF BALANCE REMAINING IN RESCINDED 1996 SPECIAL REVENUE FUND

Shall the Town of Hampton vote to appropriate the sum of \$177,000, representing the balance remaining to be appropriated from the special revenue fund created by Article 41 of the 1996 Town meeting for the purpose of Town owned infrastructure within the Hampton Village District boundaries but rescinded by Article 45 of the March 13, 2007 Town meeting, for the purpose of installing new decorative lighting at Hampton Beach on the lettered streets beginning at A Street, including all engineering, design, procurement, shipping, delivery, and installation costs, together with all related appurtenances and activities necessary or desirable to complete the purpose of this article? The Precinct Commissioners, Public Works Director and the Town Manager have duly determined this infrastructure item on October 16, 2008. This will be Town owned infrastructure. Adoption of this article will have no effect on the Town's tax rate.

Discussion: Mr. Workman pointed out that this article does not raise any money it just appropriates money that has already been raised. Therefore, there is no impact on the tax rate.

Mr. Workman MOTIONED to move the warrant article. Mr. Nichols SECONDED.

VOTE: 5-0-0

Warrant Article 3

Architectural Services for Winnacunnet Road Fire Station

Shall the Town of Hampton vote to raise and appropriate the sum of \$475,000 for the purpose of engaging the professional services of architects, engineers and building trades professionals to design and prepare complete cost estimates for the construction and furnishing of an addition to the Winnacunnet Road Fire Station?

Discussion: Mr. Nichols proposed that we change the amount to \$30,000.

Mr. Nichols MOTIONED to move the warrant article and change the amount from \$475,000 to \$30,000. Mr. Workman SECONDED.

VOTE: 5-0-0

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Warrant Article 4

Old Court House

Shall the Town of Hampton vote to raise and appropriate the sum of \$100,000 for the purpose of testing and removing asbestos and black mold, severing utilities, stripping the interior and exterior of the Old Court House on Winnacunnet Road, saving and removing the structural frame of the building for future reconstruction on another site, and to fill, level and compact the current site and plant grass thereon to stabilize the site from erosion.

Discussion: Mr. Nichols proposed that we eliminate articles 4 and 5. Mr. Lally pointed out that these articles go hand in hand since they are for the demolition of the courthouse and old town office. Mr. Bateman pointed out that eventually we are going to have to deal with these buildings. Mr. Welch informed the Board that we appropriate money each year for electricity for these buildings. Mr. Bateman said this is a topic that just keeps coming up year after year and it needs to be addressed. Mr. Griffin noticed that the amount continues to go up each year. Mr. Nichols is not convinced that it should be on the ballot this year due to the total dollar value of the proposed warrant articles this year. Mr. Welch did suggest that we get an accurate cost to remove the asbestos from the building since that has to be done before the buildings can come down. Once the asbestos is removed, we can possibly have a lot of the work done in house. Mr. Nichols suggested that the Board construct a list of warrant articles that they want to go back and look at after some more information is gathered. The Board agreed to hold off on article 4 and 5 until some information was provided in regards to the cost of asbestos removal.

Warrant Article 5

Old Town Hall Demolition

Shall the Town of Hampton raise and appropriate the sum of \$100,000 for demolishing the Old Town Hall at 136 Winnacunnet Road including the removal and lawful disposal of asbestos materials in the structure and to fill level and compact the site, sever utilities and secure and stabilize the site with adequate grass cover?

Discussion: Discussed with warrant article 4.

Warrant Article 6

Professional services of architects, engineers and building trades professionals for the Old Town Hall

Shall the Town of Hampton vote to raise and appropriate the sum of \$650,000 for the purpose of engaging the professional services of architects, engineers and building trades professionals to design and prepare complete cost estimates for the construction and furnishing of an addition to the Winnacunnet Road Fire Station; and for the purpose of demolishing the old Town Hall at 136 Winnacunnet Road including the removal and lawful disposal of asbestos materials in the structure, sever utilities, fill, level and compact the site and to secure and stabilize the site with adequate grass cover to prevent erosion; and to test and remove asbestos and black mold, sever utilities, strip the interior and exterior of the Old

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Court House on Winnacunnet Road, saving the structural frame of the building for future reconstruction on another site, fill, level and compact the site and stabilize the current site with adequate grass cover to prevent erosion?

Discussion: Mr. Nichols proposed to eliminate this warrant article. Mr. Griffin agreed.

Mr. Nichols MOTIONED to eliminate the warrant article Mr. Griffin SECONDED.

VOTE: 5-0-0

Warrant Article 7

Cemetery Burial Trust Fund

Shall the Town of Hampton vote to raise and appropriate the sum of \$_____ generated from the sale of Town owned-cemetery lots, to the Cemetery Burial Trust Fund; the interest from this Fund is withdrawn annually and deposited in the Town's General Fund as an offset to the amount appropriated in the operating budget for the maintenance of cemeteries? Adoption of this article will have no effect on the Town's tax rate.

Discussion: This is a non-tax item.

Mr. Griffin MOTIONED to move the warrant article. Mr. Nichols SECONDED.

VOTE: 5-0-0

Warrant Article 8

Mosquito Control

Shall the Town of Hampton vote to raise and appropriate the sum of \$50,000 for the purpose of providing full larviciding of mosquito breeding areas in the Town, including catch basins, and for spraying of adult mosquitoes during the months of June through September 2009?

Discussion: Mr. Griffin and Mr. Lally both agreed that in this day and age this warrant article is needed.

Mr. Griffin MOTIONED to move the warrant article. Mr. Bateman SECONDED.

VOTE: 5-0-0

Warrant Article 9

Cable TV Origination Fund

Shall the Town of Hampton vote to raise and appropriate the sum of \$100,000 from revenues generated from the Hampton Cable TV Origination Fund, a special revenue created by Article 21 of the 2000 Town Meeting and funded by revenues generated from the Cable TV local origination franchise agreement fund, to upgrade, expand, and enhance the development of the local origination channel(s)? Adoption of this article will have no effect on the Town's tax rate.

Discussion: Mr. Lally pointed out that this article has no effect on the tax rate. Mr. Nichols questioned where the \$100,000 figure comes from. Mr. Welch explained that it comes out

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of a dedicated fund. The Town receives somewhere in the range of \$107,000 to \$108,000 and this year he believes it was around \$122,000. Some of the money received is left in reserve in the fund to earn interest and the last couple of years \$100,000 has been taken out to continue to make improvements.

Mr. Nichols MOTIONED to move the warrant article. Mr. Workman SECONDED.

VOTE: 5-0-0

Warrant Article 10

Public Works Capital Reserve Fund

Shall the Town of Hampton vote to raise and appropriate the sum of \$340,000 to be placed in the Department of Public Works Equipment Capital Reserve Fund created under Article 23 of the 2008 Annual Town Meeting in accordance with the provisions of RSA 35?

Discussion: Mr. Nichols would go along with this but maybe drop amount as we go along. Mr. Welch stated that the number was selected because when they looked at the ten-year capital out run for Public Works it was \$3.4 million. Therefore, Mr. Welch felt it was best to keep a level number for the ten years.

Mr. Griffin MOTIONED to move the warrant article. Mr. Bateman SECONDED.

VOTE: 5-0-0

Warrant Article 11

Amend Ordinance on the Regulation of Animals

Shall the Town of Hampton vote to amend its Ordinance enacted on March 9, 1994 on the Regulation of Animals by amending Section 1:104 subsections A, C, F, G by removing the word "cat" or "cats" wherever they appear; and by amending "subsection K" by striking the following words ", and for cats is set by Town policy"; deleting "subsection L" entirely; amending "subsection O" by striking the word "cats" in lines one and five; by removing the words "and cats" in line two or subsection O; by removing the words "and for cats by Town policy" at the end on subsection O. This will bring the ordinance into compliance with the provisions of RSA 466 under which the Town has not voted to legally license cats, and currently does not now perform that obligation, which would incur additional costs in the Town budget if it proceeded to license cats.

Discussion: Mr. Welch explained that there is an ordinance requiring the Town to license cats. If this article were to pass, the Town would not have to license cats.

Mr. Bateman MOTIONED to move the warrant article. Mr. Workman SECONDED.

VOTE: 5-0-0

Warrant Article 12

Human Service Agencies

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Shall the Town of Hampton vote to raise and appropriate the sum of _____ for the cost of Hampton's contribution to twenty-one human service agencies in the seacoast area. A breakdown of each human service agency's request follows:

		Recommended	
	Agency	Board of	Budget
<u>Human Service Agency</u>	<u>Request</u>	<u>Selectmen</u>	<u>Committee</u>
A Safe Place	\$5,500	\$5,500	\$5,500
Area Home Care & Family Services	12,000	12,000	12,000
Big Brothers/Big Sisters	6,500	6,500	6,500
Child & Family Services	5,000	5,000	5,000
Cross Roads	15,000	15,000	15,000
New Generation Shelter	2,000	2,000	2,000
American Red Cross	1,000	1,000	1,000
Retired Senior Volunteer Program	1,800	1,800	1,800
Rockingham Community Action	25,000	25,000	25,000
SeaCare Health Services	10,000	10,000	10,000
Seacoast Hospice	7,500	7,500	7,500
Seacoast Mental Health Center	8,000	8,000	8,000
Seacoast Visiting Nurse	40,000	40,000	40,000
Seacoast Youth Services	2,500	2,500	2,500
Sexual Assault Services	2,000	2,000	2,000
Richie McFarland Children's Center	6,000	6,000	6,000
AIDS Response Seacoast	2,700	2,700	2,700
Rockingham Meals on Wheels Program	4,952	4,952	4,952
Lamprey Health Sr. Transp. Program	4,200	4,200	4,200
Families First Health & Support Center	10,000	10,000	10,000

Discussion: Mr. Lally pointed out that to save time in the voting booth we have put the health agencies together as one article. The amount will be filled in once it is available and will not exceed what was put on the ballot last year. Mr. Bateman said several agencies have asked for more money and were told to put together their own warrant article. He questioned whether or not these agencies are listed above. Mr. Welch pointed out that they were since these are the amounts from last year. Mr. Lally and Mr. Nichols agreed that if the agencies decided to request more than last year the Board would not support those articles.

Mr. Workman MOTIONED to move the warrant article. Mr. Nichols SECONDED.

VOTE: 5-0-0

Warrant Article 13

COMPENSATED LEAVE TRUST FUND

Shall the Town of Hampton vote to create a Compensated Leave Trust Fund in accordance with the provisions of RSA 31:19-a for the purpose of placing in trust funds appropriated for

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the payment of compensated leave to employees in order to fully fund such benefits over time to avoid the expenditure of large unanticipated sums that would otherwise endanger the financial and operational requirements of the Town. Funds shall be transferred at the discretion of the Board of Selectmen from the annual operating budget to fund such trust and the Board of Selectmen shall be agents of the Town to expend such funds when required to pay for compensated leave upon separation from the Town by eligible employees. The fund shall be revocable by vote of the Town.

Discussion: Mr. Welch explained that the Town is about \$1.5 million in arrears in funding accrued time payments. The Town does appropriate funds each year in the general budget and the idea is to move these funds into this account so that they can earn interest. Mr. Nichols feels that it should say that adoption of this article would have no effect on the tax rate. Mr. Nichols asked if the budget does not pass and this warrant article does would the Town be able to still move money to this account if funds were available. Mr. Welch confirmed this to be true.

Mr. Nichols MOTIONED to move the warrant article. Mr. Griffin SECONDED.

VOTE: 5-0-0

Warrant Article 14

PARKS & REC. BASKETBALL COURTS

Shall the Town of Hampton vote to raise and appropriate the sum of \$_____ for the purpose of building new basketball courts at Tuck Field, as determined by the Board of Selectmen, Town Manager, and Director of Public Works and to fund said appropriation by transferring \$_____ from the Recreation Infrastructure Special Revenue Fund established under Article 44 of the 2007 Annual Town Meeting? Adoption of this article will have no effect on the Town's tax rate.

Discussion: Mr. Nichols would like to table this warrant article until there are some dollar values. The Board agreed to table this article.

Warrant Article 15

Police Forfeiture Fund

Shall the Town of Hampton vote to raise and appropriate the sum of \$90,000 from revenues generated from the Police Forfeiture Fund, a special revenue fund created by Article 55 of the 2003 Town Meeting to carry out all lawful functions allowed under Federal, State and local criminal justice forfeiture programs? Adoption of this article will have no effect on the Town's tax rate.

Discussion: Mr. Lally pointed out that this is an article that is on the ballot every year and has no tax impact.

Mr. Griffin MOTIONED to move the warrant article. Mr. Workman SECONDED.

VOTE: 5-0-0

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Warrant Article 16

STREET IMPROVEMENTS

Shall the Town of Hampton vote to raise and appropriate the sum of \$300,000 for the purpose of making improvements on Tobey Street, Gray Avenue, Carlson Road, Sanborn Road, Dearborn Avenue, Acorn Street, Smith Avenue, Dumas Avenue, Cliff Avenue, Sunsurf Avenue, Trafford Road, and Hurd Road, to include street repairs, reconstruction and associated materials and labor necessary to do the work, and also to include associated drainage system maintenance, upgrades and improvements and to withdraw from the Road Improvement Capital Reserve Fund created under Article 16 of the 1998 Annual Town Meeting the sum of \$300,000 in order to fund such appropriation and to name the Selectmen as Agents for such fund in accordance with the provisions of RSA 35. Adoption of this article will have no impact on the Town's tax rate.

Discussion: Mr. Nichols questioned if the new Public Works Director has looked over the list of streets and agreed that these seven or eight streets should be on the list for repairs. Mr. Lally confirmed that Mr. Price did have these streets on a report that he had given to the Board.

Mr. Bateman MOTIONED to move the warrant article. Mr. Griffin SECONDED.

VOTE: 5-0-0

Warrant Article 17

DESIGNATION OF FIRST RENEWAL PERIOD FOR INTERMUNICIPAL AGREEMENT WITH TOWN OF RYE FOR TREATMENT AND DISPOSAL OF WASTEWATER

Shall the Town of Hampton vote to designate 5 years/10 years from November 17, 2009 as the length of the first renewal period of the Intermunicipal Agreement for Treatment and Disposal of Wastewater between the Town of Hampton and Rye? The initial 20-year Agreement, which was entered into in 1989, has enabled the Town of Rye to dispose of its wastewater at Hampton's wastewater treatment plant, in return for Rye's initial investment of approximately \$5 million dollars to establish a Hampton-Rye sewer connection and Rye's continuing payment to Hampton of a proportionate share, based on gallonage, of both a) the use of Hampton's facilities and b) Hampton's Capital Costs. For the year 2007, these payments from Rye to Hampton totaled _____. By its terms, this Agreement is automatically renewable for successive periods of not less than 5 years unless 2 years prior to the termination date either party notifies the other that the Agreement shall not be renewed. No Hampton Town Meeting vote directing the Board of Selectmen to notify Rye of non-renewal was taken prior to the November 17, 2007 deadline for providing such notice in order to avoid a first renewal period.

Discussion: Mr. Nichols asked if we are proposing 5 years or 10 years. Mr. Welch stated that the minimum period is 5 years. Mr. Lally thought that the 5 or 10 years would be decided at the Deliberative Session. Mr. Welch recommended that the decision be made before hand.

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Mr. Griffin MOTIONED to move the warrant article and designate 5 years from November 17, 2009 as the length for the renewal period. Mr. Bateman SECONDED.

VOTE: 5-0-0

Warrant Article 18

DIRECTIONS TO BOARD OF SELECTMEN AS TO NOTIFYING THE TOWN OF RYE OF FUTURE NON-RENEWAL OF INTERMUNICIPAL AGREEMENT BETWEEN HAMPTON AND RYE FOR TREATMENT AND DISPOSAL OF WASTEWATER

Shall the Town of Hampton vote to direct the Board of Selectmen to timely notify the Town of Rye that Hampton shall not renew the "Agreement between the Town of Hampton and the Town of Rye, New Hampshire regarding Treatment and Disposal of Wastewater" upon the expiration of the first renewal period of that Agreement whose length has been designated by vote on the previous Article___ of this 2009 Hampton Town Meeting? In order to be timely, this notice must be given 2 years prior to the termination date of the Agreement or any renewal period thereunder. This 20-year Agreement, which was entered into in 1989, has enabled the Town of Rye to dispose of its wastewater at Hampton's wastewater treatment plant, in return for Rye's initial investment of approximately five million dollars to establish the Hampton-Rye sewer connection and Rye's continuing payment to Hampton of a proportionate share, based on gallonage of both a) the use of Hampton's facilities and b) Hampton's capital costs. For the year 2007, these payments from Rye to Hampton totaled _____.

Mr. Griffin MOTIONED to move the warrant article. Mr. Bateman SECONDED.

VOTE: 5-0-0

Warrant Article 19

Exemption of Sale of Town Property

Shall the Town of Hampton vote to require a future Town Meeting vote in order to authorize the sale of all or any portion of the Town owned oceanfront property deeded to the Town by Tax Collector's deed in 1976 on the Seabrook side of the Hampton River Bridge, thereby exempting that property from the Board of Selectmen's authority to sell Town property under N.H. RSA 41:14-a as adopted by Article 38 at the 2002 Town Meeting?

Discussion: Mr. Welch explained that the beach known as Sun Valley was originally a subdivision that went from the Hampton River to the Salisbury Town line. Seabrook has purchased their portion and the part that is in Hampton was taken by tax collectors. Under statute, the Town has the right to vote to keep it as municipal property forever as opposed to selling or transferring the property. If the land is sold or transferred then the new owners would have the right to make it a private beach.

Mr. Griffin MOTIONED to move the warrant article. Mr. Bateman SECONDED.

VOTE: 5-0-0

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Warrant Article 20

TOWN HALL ENERGY ARTICLE

Shall the Town of Hampton vote to raise and appropriate the sum of \$100,000 to be utilized for the purpose of modifications to the Town Office Building as to water use, appliances, windows, lighting, electrical systems to make the building more energy and water usage efficient? This will be a non-lapsing account per RSA 32:7, VI and shall not lapse until the work is completed or two (2) years.

Discussion: Mr. Nichols is opposed to this article. He feels the Board is losing site of what they have been saying they are going to do for the past 5 years. He feels that something should be done but that \$100,000 is too much. He suggested that maybe we could pull out some of the higher priority items.

Mr. Griffin feels that the people should get to decide on this article.

Mr. Lally does not agree with Mr. Nichols he has been hearing people say that the Town needs to find ways to save money and go green.

Mr. Nichols said that from a business standpoint he would need to see a projection on the number of years for a pay back. Mr. Nichols does not feel that the current amount budgeted for energy expenses for the Town Office are high.

Mr. Bateman said that Mr. Nichols is only focusing on the energy costs and not the fact that the article is also to update electrical system and heating system.

Mr. Welch pointed out that the building is not well maintained at all and needs many repairs. Mr. Welch feels that there are some significant problems and they need to be addressed.

Mr. Nichols asked Mr. Welch what are the most important items and the cost of those items. Mr. Welch said that the most expensive item is replacing the glass. Mr. Workman asked what is the most energy efficient item on the list.

Mr. Nichols suggested that we put this article on the table and have Mr. Welch come back with some items that would be priority.

Mr. Welch feels that at this point he would probably say that the most important item would be to repair, replace or maintain the sewer system.

Mr. Griffin stated that since he has been on the Board he has not seen any money spent on the Town Office. Mr. Griffin thinks this is a good start and the people should really be allowed to decide.

Mr. Bateman feels that the ductwork should be one of the highest priorities.

Mr. Lally pointed out that the last sentence of this article says that the repairs can be spread over a two-year period.

Mr. Bateman MOTIONED to move the warrant article. Mr. Griffin SECONDED.

VOTE: 3-2-0

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Warrant Article 21

Drainage

Shall the Town of Hampton vote to raise and appropriate the sum of \$250,000 for the purpose of implementing the Town's Master Drainage Plan by constructing new or replacement drains in accordance with said Plan, as selected by the Board of Selectmen, the Town Manager, and the Director of the Public Works Department?

Discussion: Mr. Nichols expressed his concern once again that by pushing these articles forward we are hurting the credibility of the Board. Mr. Bateman feels that by not addressing these issues then you lose faith with the Town's people. Mr. Lally asked Mr. Welch that besides this \$250,000 does Public Works have money in their budget for drainage projects. Mr. Welch confirmed that they do drainage maintenance and do not have money in their budget for drainage projects. Mr. Lally feels that this might be the year that we just maintain. Mr. Nichols asked if there is any benefit to a smaller number. Mr. Welch said that \$250,000 is probably the smallest number. Mr. Bateman wants to emphasize that there is going to be a time when these items need to be brought forward but this is not the year.

Mr. Nichols MOTIONED to eliminate the warrant article. Mr. Griffin SECONDED.

VOTE: 5-0-0

Warrant Article 22

Equipment Wash-Down Facility

Shall the Town of Hampton vote to raise and appropriate the sum of \$93,000 for the purpose of bringing about the installation of an equipment wash down facility at the Department of Public Works yard, including all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary to complete the project?

Mr. Griffin MOTIONED to eliminate the warrant article. Mr. Nichols SECONDED.

VOTE: 5-0-0

Warrant Article 23

Salt Storage Shed

Shall the Town of Hampton vote to raise and appropriate the sum of \$223,000 for constructing a salt storage shed at the Department of Public Works yard, including all engineering, design, procurement, construction, shipping, delivery, and training costs, together with all appurtenances necessary to complete the project?

Discussion: Mr. Lally stated that this is one of the priorities put forward by Mr. Welch. Mr. Nichols thinks that we definitely need a pay back on this article.

Mr. Griffin MOTIONED to move the warrant article. Mr. Bateman SECONDED.

VOTE: 5-0-0

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Warrant Article 24

PUMPER

Shall the Town of Hampton vote to raise and appropriate a sum not to exceed \$500,000 for the purchase of a Class A Combination Rescue Pumper for the Hampton Fire Department, including all engineering, design, procurement, construction, shipping, delivery, training, together with all related appurtenances and activities necessary or desirable to complete the purpose of this article?

Discussion: Mr. Bateman asked if it might help to add that this would be a lease purchase. Mr. Lally stated that the details of the lease and payment amounts would be added to this article.

Mr. Griffin MOTIONED to move the warrant article. Mr. Nichols SECONDED.

VOTE: 5-0-0

IV. Minutes – October 20, 2008

Page 1: Change the name of Pressure to Presher.

Page 3: Change the Tax Rate from \$16.00 to \$16.33.

Mr. Bateman MOTIONED to accept of the minutes of October 20, 2008 as amended. Mr. Griffin SECONDED.

VOTE: 5-0-0

V. Old Business 1:29:14

1. Town Manager's Report

- In accordance with the vote of the Board last week to accept tax deeds for marshland parcels I have prepared property transfer document to transfer the property to the Conservation Commission to comply with the vote of the Town at the 1994 to transfer march or wetlands taken by tax deed to Conservation.
- Please remember to attend the Hampton Fire Department open house at Station 2 on Winnacunnet Road this Saturday, November 1, 2008, fun for the whole family.
- Leaf pickup begins next Monday, November 3rd continuing through the 24th, weather permitting. Please put your leaves in biodegradable bags or place in loosely packed containers that can be easily dumped. Do not rake your leaves to the curb.
- Remember to set back your clocks on Sunday @ 2:00 AM, November 2nd.
- Mr. Freedman and Mr. Lessard are in the process of collecting funds to be given to the Town for the purchase of Automatic External Defibrillators for the Police Department. The Board would need to be in favor of accepting the funds or the equipment. The cost

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per unit is about \$3,000. If the funds are taken in by the Town then it would be a tax deduction for the donor.

- Received today a letter of commitment from the auditors Plodzick and Sanderson for the financial year 2008, which needs to be signed by the Chairman of the Board.
- The Planning Board has approved driveway regulations under RSA 236 and they have been recorded in the Registry of Deeds.
- A petitioned warrant article in the amount of \$6,400 from Transportation Assistance for Seacoast Citizens has come in.

Discussion: The Board agreed to accept the funds for the Automatic External Defibrillators.

2. Garage, Barn or Lawn Sales Ordinance

Mr. Bateman MOTIONED to approve the revised "Garage, Barn or Lawn Sales Ordinance". Mr. Griffin SECONDED.

VOTE: 5-0-0

3. Scheduling of Public Hearing of proposed "Solid Waste Ordinance"

Mr. Bateman MOTIONED to schedule the Public Hearing of the proposed "Solid Waste Ordinance" for November 17, 2008. Mr. Griffin SECONDED.

VOTE: 5-0-0

4. Appointments to "Permanent Building Committee"

Discussion: Mr. Nichols feels that some work should be done before making an appointment. One is that there should be something in writing to define the roles of this committee. The position should also be advertised on channel 22. Mr. Lally read the advertisement that is on the website and channel 22. The final thing to address is how this committee relates to Planning Board activities such as the Master Plan. Mr. Lally's impression is that people would come in with ideas and nothing would be etched in stone. Mr. Welch explained that the proposal that was given to the Board was to create a committee that would do the following: undertake the entire process of planning, put out to bid all necessary items, if money was awarded at Town Meeting would actually be in charge of the construction from an oversight standpoint, and have someone who could go from A to Z in the process. The idea was to eliminate problems similar to what we are having with the Fire Department and have one committee working under the Board of Selectmen. Mr. Nichols would like to see Mr. Welch put his thoughts together and run them by the Planning Board. Mr. Welch will put together a detail charge for the next meeting and give a copy to the Planning Board.

5. USS New Hampshire funding donation. Mr. Workman pointed out that the ship sailed last weekend so the request no longer exists. Mr. Bateman thanked the private citizens who stepped forward and donated. The Board was in consensus to not go forward with any donations.

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6. Accessible Parking Space at 19 Concord Avenue

Discussion: Mr. Welch's recommendation would be that the Board makes these accessible parking spaces seasonal. The reason for this is that the statute that takes effect on 01/1/09 would require the Town to have the accessible spaces cleared within 24 hours of a storm, which is going to place a significant burden on the taxpayers. By making the spaces seasonal, we will save time and money. Mr. Bateman suggested that if the spaces are made seasonal when we remove the accessible space sign could it be replaced with the winter parking ban sign.

Mr. Bateman MOTIONED to grant the request for the Accessible Parking Space at 19 Concord Ave pursuant to Town Ordinances' Winter Parking Ban. No overnight on street parking from November 15th to March 15th of the following year. Mr. Nichols SECONDED.

VOTE: 5-0-0

Mr. Bateman MOTIONED that all Accessible Spaces that are on public right-a-ways to be seasonal in nature and for November 15 to March 15th of the following year, signage for the accessible spaces will be removed. Mr. Workman SECONDED.

VOTE: 5-0-0

VI. New Business

Mr. Nichols was curious if Mr. Welch was aware of a warrant article being put together by the Precinct to extend the lease on the Fire Station. Mr. Welch will follow up with the Precinct.

Mr. Nichols let the Board know that he had sent an email to Martha Fuller Clark on the anti spiking legislation and has not got a response. Mr. Welch said that he did receive a phone message from Martha Fuller Clark but when he attempted to get back in touch with her there was no answer or machine to leave a message. Mr. Welch gave up after several tries. Mr. Nichols asked if the Board wants to try and send a letter with all their signatures. The Board agreed that sending a letter was a good idea. Mr. Lally will continue to try to get in touch with the Mayor of Portsmouth.

Mr. Bateman MOTIONED to move that Mr. Lally sign the letter from Plodzik and Sanderson to perform the 2008 audit. Mr. Griffin SECONDED.

VOTE: 5-0-0

VII. Consent Agenda

1. Donation of 1, 500' +/- of 4" supply hose to the Town of Brentwood with associated Indemnification and Hold Harmless Agreement
2. 2008 Real Estate Tax Warrant "Second Half"

Mr. Bateman MOTIONED to move the consent agenda. Mr. Griffin SECONDED.

VOTE: 5-0-0

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
MONDAY, OCTOBER 27, 2008

VIII. Closing Comments:

Mr. Lally asked that the members of the Board stay for a few minutes to discuss a Personnel matter for a non-public meeting under RSA 91-A.

IX. Adjournment

Mr. Griffin MOTIONED to adjourn. Mr. Bateman SECONDED.

VOTE: 5-0-0

Meeting adjourned at 9:51 PM.

Chairman