

TOWN OF HAMPTON
MINUTES OF THE BOARD OF SELECTMEN
THURSDAY, JANUARY 22, 2009

PRESENT: William Lally, Chairman
James Workman
Richard Nichols
Richard Bateman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney
Kristina Ostman, Administrative Assistant

REGRETS: Richard Griffin, Vice Chairman

5:00 PM

Chairman Lally called the meeting to order at 5:04 PM and introduced the members of the Board.

I. On a roll call, motioned with four members present and voting unanimous, the Board of Selectmen entered into to a Non-Public meeting with Legal Counsel under RSA 91-A:3., II., a Chairman Lally reconvened the meeting at 5:16 PM.

II. Town Warrant

Article 14: As Mr. Griffin is not present, the vote will stand.

Article 28: Mr. Workman motioned not to recommend. Mr. Nichols SECONDED.

VOTE: 3-0-1

Article 29: Mr. Workman motioned not to recommend. Mr. Nichols SECONDED.

VOTE: 3-0-1

General discussion:

Mr. Nichols questioned the locations of posting the zoning articles. They are posted at the Library, Beach Fire Station, and are available at the Planning Office, as well as on-line.

Discussion on Article 8, as to why we need this article, if RSA requires that the Town follow it. The Zoning Code quotes a date and that should be removed, so they need to have an article of this type and this article would be unnecessary in the future.

General discussion on Article 51 (formerly Article 50)

Article 51: Mr. Workman motioned not to recommend. Mr. Nichols SECONDED.

VOTE: 4-0-0

General discussion on the collective bargaining agreements.

Mr. Nichols expressed his concern regarding the Evergreen Clause and the long-term amount in respect to the Teamsters projected cost, which projected out 22 years and the Police is only 10 years out, creating a number that is greater and Mr. Nichols feels this will be a problem with voters. The Teamsters have created a larger cost number for themselves.

Mr. Workman explained the projected 22-year out cost is due to the number of steps involved in the teamsters union.

General discussion on the issue of how many members that would actually achieve all the steps is the problem with the "Evergreen Clause", in reality that cannot be done and that the figured amount [cost] is based on today's dollars.

There is no definition from the Courts on how to estimate the costs of the Evergreen Clause. The Courts just determined that the towns and cities have to calculate the cost to warn the public, but did not give direction or a formula to achieve that cost.

Mr. Nichols discussed that the voters are going to focus on the big number, which will hurt the Teamsters, that there is an inconsistency between the two contracts and it is with generating the cost number with the amount of years.

General Discussion on what individual members would state when in explaining their positions on warrant articles.

Mr. Nichols stated that in the past voters have voted down articles and he will do the same. He feels he should not have to explain 20 different ways why he will not vote on the agreements. He would request that the board members (on their positions and explanations of support) don't spin things too far so he will not have to speak.

Mr. Lally stated that he does not base his voting on how what was voted in the past, be it last year or ten years ago and will only speak to why he supports the articles.

III. Adjournment

Mr. Bateman MOTIONED to adjourn. Mr. Workman SECONDED.

VOTE: 4-0-0

Meeting adjourned at 5:35 PM

Chairman