

March 24, 2014

PRESENT: Philip Bean, Chairman  
Mary-Louise Woolsey, Vice-Chairman  
Rick Griffin, Selectman  
Rusty Bridle, Selectman  
Jim Waddell, Selectman  
Frederick Welch, Town Manager

### SALUTE TO THE FLAG

Chairman Bean asked everyone to remain standing for a moment of silence for the three families in Hampton who lost loved ones this past week Shirley L. Palmer, James C. Cropper, and Fred Schaake Senior.

#### I. Public Comment Period (6:05)

Arthur Moody, 3 Thomsen Road, commented: pilot trash pick-up program that started in January and wonders if the new schedule is going to continue; Conservation Commission members here tonight and managing of Town forests; legislation in Concord in regards to Selectmen only being able to discuss items on the agenda; feels if Board is going to bring up an item that is not on the agenda they should open public comment for 1 minute at that time.

Richard Reniere, 29 Highland Ave, commented: brought up safety concern on Highland Ave related to snow banks last week; on Friday morning this was taken care of; thanked whoever was responsible for having this taken care of; benefit of public comment and hopes it continues; announced the annual meeting for the Hampton Beach Village District which will be this Friday and provided all the details.

#### II. Announcements and Community Calendar (15:47)

Selectman Bridle announced the Hampton Academy Players has a production of Murder at the Crooked House or 18 Nervous Gumshoes this Thursday, Friday, and Saturday.

Selectman Griffin commented on the Chili Cook Off at the Hampton Academy this past weekend with Wally's Pub winning.

Chairman Bean welcomed everyone and commented on this being their first meeting with the full new Board.

#### III. Appointments (17:44)

1. Michael Schwotzer, Finance Director (17:53)
  - a. Monthly Financials

Mr. Schwotzer presenting January and February reports. The only notable item for January was motor vehicles came in at \$235k which was \$13k above budget. Since we are looking at reports on a year to date basis he will focus on February but will answer questions on either month. Note that the 2014 Budget column now uses the Default Budget amounts, which were selected by Town Meeting.

February Revenue: total income was \$557k; motor vehicles came in at \$146.7k, which is \$48.5k below budget (minus 1.8%) year to date; Interest on Taxes \$22.2k; State of NH - Highway Subsidy at \$53.0k and Water Pollution Grant at \$28.8k; Departmental at \$29.3k; Land Rent bills went out at \$170.5k; Franchise Fess at \$55.8k; Real Estate Trust at \$35.4k.

February Expenses: expense summary shows the year to date expenses by department; operating departments (without debt service but with open POs) were 18.3% of budget, which is higher (by \$370k) than the month's target of 16.67%; should be noted that this unfavorable condition is easily explained by the semi-annual payments for Workman's Comp Insurance and Hydrants plus the annual Bank Buy-Back Program contributing \$522k to the overage; Finance's Repairs and Maintenance came in at \$10.4k spent which is for the annual support contract for the financial software packages; Audit Services are at \$24.3k which is the progress payment dealing with the 2013 Audit; Personnel Administration the annual Bank Buy-Back Program hit a new high at \$189.2k, the \$69k overage will probably be offset by under expending in the Employee Separation Costs account, as was done in 2013, Merit Pay was charged with \$17.6k which is equal to the non-union pay increases granted last year; Municipal Insurance, the annual membership dues in the NHMA (\$16.2k) were paid in January and prior to the Deliberative Session, in same section it is noted that the Town pays Unemployment Compensations claims as incurred versus paying into the State fund; Police Department is at 13.6% overall when the open POs are included, two accounts of note are Admin - Tuition Reimbursement (69.5% of budget) and Traffic Control - Vehicle Replacement (fully expended when the \$77k PO is included); Fire Department is at 15.4% overall when the open POs are included, three accounts of note are the first three in the Fire Stations - Electric, Heating Fuel and Water, the budget was set using figures from the old stations which were probably lower than what will be needed to run the new stations; Other Safety Services hydrants is a semi-annual payment, this account will be over expended at year end; Highways and Streets is over its target by almost 5%, this is primarily due to the Snow & Ice Removal; Municipal Sanitation would be running below its target if the \$151k annual PO for chemicals was not used in the calculation; the 2013 Encumbrances showing that 28% have been expended to date; Cable Committee has received its first quarterly payment of Franchise Fee Revenue (\$18.6k); in Fund 27 - EMS there was a major audit adjustment dealing with the ESTIMATED Allowance for Uncollectable Ambulance Bills account, the Allowance account was increased by \$358.6k which had a negative/lowering effect on the Net Fund Balance (the estimates for 2012 and earlier being increased by \$276.6; and the originally reported 2013 estimate being increased by \$82.0k; went into detail why this happened and is related to the standard procedure he has been following since he started, discussed really old uncollectable receivables, explained the new procedure in detail that they will be following, end of 2013 brought fund balance down to \$178k which is not enough to cover the purchase of the two ambulances on order, explained they did not know about this when the Chief came to the Board for approval, easiest solution is to cancel the second

ambulance, has spoken with DRA and cannot run the fund into a negative balance at year-end.

Selectman Woolsey commented: Fire Department energy cost and thought it would have been better since buildings are new and more energy efficient; Mr. Schwotzer pointed out the increased size of the Winnacunnet Road Station and the fact that we are dealing with a Default Budget; under Municipal Sanitation if amount of POs was not included would be on budget a little confused by this and Mr. Schwotzer explained in detail how the PO for chemicals will be spent over the year but the amount is reflected here as an annual PO; wonders why we are having such a shortfall in the EMS/Ambulance Fund and who is not paying; Mr. Schwotzer explained how they know that 50% of bills will not be collected and how he sees a lot of Letter Streets at the beach, the group they deal with sends out 3 bills and then sends a collection letter, something that is over 3 years old should be written off; cannot be transporting people from out of Town who are not going to pay and put this on the back of Hampton taxpayers; Mr. Schwotzer explained that this fund will continue to generate enough funds to purchase ambulances, therefore this fund is self-sufficient; Mr. Schwotzer pointed out that this is not impacting the taxpayers since it is still in the fund; she is appalled to have such a large number of defaults; Mr. Welch explained how a lot of these outstanding bills are from out of State and in order to take these individuals to court you must hire a lawyer from each of these States; Mr. Griffin pointed out that when they reviewed the list in the past there were actually a lot of people who had passed away.

There was an additional discussion on how much people are billed for ambulance service and how you cannot refuse service to anyone.

Selectman Bridle asked in regards to the two new Fire Stations, we now have to pay additional money for the sprinkler systems that can be impacting energy cost; Mr. Welch commented that they did go to each of the energy companies to come up with the estimates for the budget but we are working with the Default Budget.

Selectman Waddell thanked Mike for his report; confirmed with Mr. Schwotzer that in general we do not appear to be in bad shape now and going forward things are looking decent; Mr. Schwotzer stated that all the Department Heads are aware that we have to operate under the Default Budget.

Selectman Woolsey commented: paperwork she provided last week for waste hauling; tremendous amount of weight for some of the bulk items; like to have on the agenda next week to ask Mr. Noyes to provide information on having an additional roll-off to transport the furniture to Ecomaine; would like to see a little more fine tuning on the solid waste cost.

Mr. Schwotzer commented: did prepare for the Board his projection for the property tax rate; next week will see the MS-2 on the Consent Agenda.

Selectman Woolsey commented: Mr. Welch last week mentioned that he may be coming to them in the Fall asking them to surrender \$1M to offset the tax rate; thinks they need to start taking steps now.

Mr. Schwotzer pointed out that when the \$27M of expenses were approved at Town Meeting; that's the number that will be used to set the tax rate; could spend zero and tax rate would still be set at \$27M; so even if try to mediate expenses your tax rate would still be set at that amount; if you take money down from the fund balance that will impact the tax rate.

Mr. Welch commented that they recommended that they look at this in the fall because the only way to affect the size of the tax rate is to obtain more revenues.

Chairman Bean thanked him for his report and commented that the Board does not set the tax rate but by what the taxpayers vote on and it is their Town.

2. Brian McCain, Channel 22 (46:06)

a. Updated estimate from Comcast for Cable Drop and Equipment

Mr. McCain commented: talked about this before with the Board and it was approved; Comcast does not give out estimates only quotes and it is up to \$20,548.50; not sure if Board needs to approve the new amount; this is for the second channel.

b. Access AV Quote for Control Room reconfiguration and new equipment install

Mr. McCain commented: have Access AV to come down and assist with installation of new equipment; high estimate for two days; thinks it can be done in one day; he and other employees from Channel 22 to do the manual labor portion; Access AV will be doing the wiring.

c. Chase Cam for SAU 90

Mr. McCain commented: this is a recording device; can record up to 8 hours; easier to convert to what Channel 22 needs the SAU to give them; talked about how the current format given to them causes the freezing that you may experience.

d. Live Streaming

Mr. Paquette commented: quite a few people in Town who do not have access to Comcast; proposing they start streaming Channel 22 on the internet; explained how this would work and not affect the Town's bandwidth.

Selectman Woolsey supports what they want to do.

Selectman Bridle commented that the State House does the Live Streaming.

Selectman Waddell asked how well it would work since he knows the State Houses freezes a lot. Mr. Paquette commented that they would be using an outside provider so we should not have that problem.

Mr. McCain shared some information on other Town's in the area that uses the Live Streaming. This was just a thought.

Selectman Griffin commented that many people have asked about this and Mr. Lowney agreed.

Selectman Woolsey MOTIONED to authorize the Cable Committee an amount of \$11,190 to be expended out of the Cable Fund for purposes of technology and Live Streaming for the Town SECONDED by Selectman Bridle.

VOTE: 5-0-0

3. Jay Diener, Chair Conservation Commission (58:03)

a. Establishing a Community Forest in the area of 12-Share off White's Lane

Mr. Diener and Peter Tilton provided detail on boundaries for the land; planned to be Town Forest but has never been formalized; would like to have Conservation Commission to take over responsibility for it but would like to setup a citizens committee for making recommendations and managing the Town Forest; thinks it is important to gain involvement from residents; committee of 10 to 15 people and went through what they would like them to do.

Mr. Tilton spoke about the hunting that has taken place; few people walking pets; unauthorized trail making that has been going on; problems that this is causing; some of this is private land; have to keep it controlled.

Selectman Woolsey commented: it is 12 Shares; enforcement is a problem and has been over the years; one of the last real forest areas in Town; like to see them consider some type of provisions for legal/enforcement of that as a Town Forest; animals not being able to survive in the habitat that is left; thinks they are on the right track; thanks them both for initiating this.

Selectman Waddell asked how do you come up with multiple code use; Mr. Diener stated this would be worked on with the committee and similar to use of other Conservation properties; talked about marking/signage.

Selectman Griffin thought motorized vehicles are not allowed; it was confirmed that they are not but it does not always stop people.

Selectman Bridle thinks it is a great idea and we ought to work with the committee.

Chairman Bean commented on the Eagle Project done in 2012.

Mr. Welch stated that if they are actually going to do this there will need to be a warrant article and there must be a committee of 3 to 5 members.

There is a consensus amongst the Board that the Conservation Commission should move forward with this.

#### IV. Approval of Minutes (1:10:40)

##### 1. March 10, 2014

Chairman Bean MOTIONED to approve the March 10, 2014 minutes SECONDED by Selectman Woolsey.

VOTE: 2(Bean,Woolsey)-0-3(Griffin, Bridle, Waddell)

##### 2. March 10, 2014 Non-Public Session

Chairman Bean MOTIONED to approve the March 10, 2014 Non-public session minutes SECONDED by Selectman Woolsey.

VOTE: 2(Bean,Woolsey)-0-3(Griffin, Bridle, Waddell)

#### V. Town Manager's Report (1:11:08)

1. The Church Street Pumping Station is in operation. The old station is completely off-line. Operations and testing of the equipment will continue until the station is released to the Town.

2. Please remember to license your dog by April 30<sup>th</sup> to avoid extra fees and penalties.
3. Exemptions and credits from property taxes for Veterans, Elderly, Blind, and Disabled must be filed by April 15, 2014. Please call or see the Assessing Department for the necessary forms and requirements.
4. We will be organizing a spring list for auction of unwanted and surplus materials. Departments are formulating a list of their materials for Board approval.

Mr. Welch added: expected snow in the middle of week and possibility of parking ban being put back in place; DPW has completed their action and the emergency action plan for the Old Mill Pond Dam is completed and is filed with the State of NH.

Selectman Woolsey commented: for Mr. Moody's benefit on Wednesday they will be reverting to the old trash pick-up schedule; has read the JOP and has highlighted a few areas for Mr. Welch to review; wonders if the list of auction items will include old DPW pick-up trucks that are rusting and rotting; Mr. Welch stated they are encouraging the departments to get rid of what they do not need the list will come before the Board to be approved; sees the final cost of the sweeper after trade-in value but wonders if he has a final figure for the other two old pieces of equipment being replaced at DPW and Mr. Welch does not have this information yet.

#### VI. Old Business (1:15:27)

1. Question of meeting with residents from areas where trash collections is to be stopped because of restrictions in doc's and on plans. (1:15:28)

Mr. Welch explained that the Board has been discussing this for some time; went through the areas in detail; how each area has stipulations that they are to have their own trash collection but the Town has been picking-up their trash; this is a Boards question; notification that the Board has asked DPW to send; wants to know where the Board stands and what they want to do.

Selectman Woolsey was appalled when she came back on the Board last year and Mr. Welch was scratching through records trying to figure out which streets were private and private ways; huge issue of fairness here; should not allow pick-up on private roads; anyway for them to guarantee that the Planning Board stipulations for new private roads or ways be included on the deed so there is no confusion; Mr. Welch does not believe that they have a statutory right to do this, important to ask for and read condo doc's; duty of Board to protect the Town from liability; going to be asked to put on agenda what directives they plan on giving to the Planning Board, how they have asked for this; Mr. Welch reminded everyone the suggestion of the last Board wanted to make sure that the individuals who would be impacted by any changes be invited to come before the Board to discuss the changes.

Selectman Griffin is not sure if he understands since they have been talking about private roads and ways but agenda item refers to condo doc's; in the past if people brought their trash out to the road it was not a problem; asked specifically what is happening on Kings Hwy trailer park and Mr. Welch commented it is not being picked-up; shared his experience on the Planning Board; does not have a problem if the trash is brought out to the road; would like to know how the other Board members feel about this.

Chairman Bean read an email from a resident of Ice House Lane expressing concerns with trash pick-up; looking for a response and resolution from the Board.

Selectman Bridle has a problem if the condo project comes before the Planning Board and states that they are responsible for their own trash removal; an issue of fairness; Methodist Church putting their carts on Rte. 1; thinks they need to look at all of these issues; if agreements have been made at the Planning Board level then that decision should be followed; commented on private roads behind him where trash is picked-up.

Selectman Waddell agrees with both Rick and Rusty; really need to know what they are talking about; how many people does this effect; is it costing us more if someone brings it out to the road and we pick it up.

Selectman Griffin commented on how many locations only bring out their recycling since many of these locations only have a dumpster for trash.

Selectman Waddell has the same problem at his condominium and if they want to recycle, they have to bring it out to the curb for pick-up.

Selectman Woolsey commented: need to go into this in-depth; cannot allow Town vehicles on private property and provided the risk the Town faces every time it does go onto these properties; need to address these problems prior to summer; went through some of her proposals on this; problem with only having 3 employees on highways in the summer.

Selectman Griffin thinks that they need to go over the warrant articles that passed.

Chairman Bean asked Mr. Welch if we are still picking-up from Ice House Lane but he will have to check with DPW Director tomorrow; importance of knowing rights and responsibilities prior to purchasing a property; would like to suggest that the Board talk about this in two weeks, need to know who we are picking-up from, have DPW Director and Attorney present.

There was a discussion on if the public would need to come and speak at this meeting or a later date. It was decided that people wishing to comment could do so during the Public Comment period.

2. Question of hydrant cost on a new subdivision, funds not in the budget (1:35:44)

Mr. Welch commented that the Board made a decision this past year that any sums that are to be expended that are not in the budget must come to the Board for approval; new subdivision going through the Planning Board; cost per hydrant is \$1835 for the Town; brought question to Board since it was a previous order.

Selectman Woolsey as this hydrant would be on a public road; would come under the Town hydrant line item; who would pay for initial installation cost; Mr. Welch pointed out that there is actually no installation cost; this would be an ongoing cost; if the Fire Chief and Planning Board mandate that a hydrant should be placed on a public way then we should take it under our wing like any other public hydrant.

Selectman Woolsey MOTIONED that they direct the Town Manager that when a fire hydrant is mandated by the Planning Board and Fire Department to be placed on a public way that Aquarion would be requested to install and Town will accept that as any other hydrant [on a public way] under the hydrant rental section of the Operating Budget SECONDED by Selectman Bridle.

VOTE: 5-0-0

3. Question of modifying the Building Department Fees (1:39:19)

Mr. Welch commented that this came up with the last Board; basically speaking covering the cost of running the department; question came up should it include total cost of all employees; if so it doubles the cost; so now the Board needs to decide if they wish to change the fees.

Selectman Griffin believes he read that Mr. Schultz does not support changing the fees; Mr. Welch agreed that Mr. Schultz is not in favor; thinks the Board should be advised on how it works in other communities.

Selectman Bridle will take his lead from Mr. Schultz.

Chairman Bean asked Mr. Welch to discuss with Mr. Schultz and if there is a change, it should be brought back to the Board.

4. Selectman's Request to the Board – MLW (1:41:32)

Selectman Woolsey would like to see some items put on agenda in staggered fashion; reconsideration of the frequency of waste pick-up; concern with sewer buy-in fee and cannot allow too much time to go by before this is assessed, wonders if they can access an estimated buy-in charge for the time being, does not want to see more buildings built without this fee.

Selectman Griffin understands some of what is being said here; thinks that this Board needs some sort of advisement prior to making decisions.

Selectman Bridle understands what Selectman Woolsey is saying but does agree that they need to hear some information.

Selectman Waddell agrees that they need more information but it should be put into motion.

Chairman Bean commented on the email that was sent to him by Selectman Woolsey. Selectman Woolsey pointed out that she is sending emails to the Chair for him to distribute.

Mr. Welch commented that he knows Mr. Noyes is working diligently to bring this calculation/assessment information to the Board.

VII. New Business (1:48:25)

1. Selectmen Representative to the Planning Board (1:48:26)

a. Member and Alternate Member

Motion by Selectman Waddell to nominate Selectman Griffin as the representative to the Planning Board **SECONDED** by Selectman Bridle.

VOTE: 3(Bean,Bridle,Waddell)-0-2(Griffin,Woolsey)

Selectman Griffin **MOTIONED** to nominate Selectman Bridle as the Alternate representative to the Planning Board **SECONDED** by Selectman Waddell.

VOTE: 4-0-1(Bridle)

2. Selectmen Representative to Boards, Commissions and Committees

Selectman Woolsey would like to discuss sun setting some of these committees. Selectman Woolsey thinks it is time to sunset the Recycling Committee, the Heritage Commission. There was a consensus amongst the Board to sunset these committees.

Budget Committee

Selectman Bridle commented that he needs to step down as the representative for the Budget Committee.

Selectman Bridle MOTIONED to nominate Selectman Waddell as the representative to the Budget Committee SECONDED by Selectman Griffin.

VOTE: 4-0-1(Waddell)

Selectman Griffin asked about the following: the BOS only had a Selectman representative to the Hampton Beach Village District during the Fire Station construction, does not think we need to continue this; he does think that there should be a representative to the Chamber. The Board agreed to not have a representative to the Hampton Beach Village District.

Selectman Bridle MOTIONED to nominate Selectman Griffin as the representative to the Hampton Beach Area Chamber of Commerce SECONDED by Selectman Waddell.

VOTE: 4(Bean, Bridle, Waddell, Griffin)-1(Woolsey)-0

There was a discussion on the representative to the Assessing Department and Mr. Welch explained how this came about 2 or 3 years ago. The Board agreed to sunset this representative.

Representative to the Recreation and Parks Committee

Selectman Bridle MOTIONED to nominate Selectman Waddell as the representative SECONDED by Selectman Griffin.

VOTE: 4-0-1(Waddell)

Alternate Representative to the Recreation and Parks Committee – Selectman Bridle

Representative to CATV – Selectman Waddell

Representative to the CIP – Selectman Woolsey

Representative to the Records Advisory Committee – Chairman Bean

Representative to the Energy Committee – Chairman Bean

Additional New Business

Selectman Griffin would like to know when they are going to discuss the calendar of meetings. He would like to see it go to every other week in the summer like it always was.

Selectman Woolsey thinks time is too short and there is a huge amount of work to attack this year. She will vigorously object to this change.

Selectman Bridle talked about the schedule that they had in Concord in regards to holidays and weeks off.

Selectman Griffin stated that if there is a need to have another meeting they have always had it.

Chairman Bean stated that this will be on next week's agenda.

VIII. Consent Agenda (2:00:56)

1. New Veteran Tax Credit: Bischoff, 434 High St., #1 166/8/1; Hard, 576 Exeter Rd. 24/5; Cook, 11 Raymond Ave 128/3/5; Robinson, 317 High St. 179/14; Duprey, 7 Morrill St. 14/20; Schwechheimer, 33 Falcone Circle 41/17
2. Requalifying Veteran Tax Credit: G&G Family Revoc Trust, 138 Landing Rd 229/2/2; Goodwin, 62 Little River Rd. 129/7; Dudek, 551 Winnacunnet Rd. 223/152; Hewitt, 171 Little River Rd. 164/17; Sanborn, 58 Brown Ave. 282/147; Garrigan, 96 Barbour Rd. 91/13; Smith, 23 Cusack Rd., #20 133/68/20; Foley, 445 Ocean Blvd, #14 266/28/14; Gough, 290 Mill Rd. 57/28
3. Requalifying Elderly Tax Exemption: Hilton, 11 Thornton St. 303/4; Conti, 17 Longwood Dr. 70/12; McKeen, 5 Spruce St. 222/51; Cole, 5 Hemlock Haven 138/1/5
4. New Elderly Tax Exemption: Kinney, 2 Birch Rd. 166/20
5. Release of Welfare Lien
6. Conservation Commission Appointments
  - a. Barbara Renaud – Full Member
  - b. Mark Loopley – Alternate Member
  - c. Nathan Page – Alternate Member
  - d. Diane Shaw – Alternate Member

Selectman Woolsey MOTIONED to MOVE the Consent Agenda SECONDED by Selectman Waddell.

VOTE: 5-0-0

IX. Closing Comments – None

X. Adjournment of Public Meeting (2:02:19)

Selectman Woolsey MOTIONED to adjourn the Public Meeting at 8:58 PM SECONDED by Selectman Bridle.

VOTE: 5-0-0

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Chairman