

May 12, 2014

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

ABSENT: Rick Griffin, Selectman

### SALUTE TO THE FLAG

#### I. Public Comment Period

#### II. Announcements and Community Calendar (4:27)

Selectman Bridle announced: invitation from Jay Diener and the Conservation Commission to attend a Green Infrastructure meeting at Lane Library on May 14<sup>th</sup> from 6:30 to 8; ways to manage and reduce storm water on your property; discussion on rain gardens; also on Saturday morning May 17<sup>th</sup> starting at 9 am they will be installing demonstration rain gardens at the Library; events hosted by Rockingham Planning Commission, Seabrook and Hampton Estuary Alliance, Town of Hampton Conservation Commission; silent auction for rain barrels and plant sale will also take place on Saturday May 17<sup>th</sup>; his thoughts and prayers go out to the residents of Brentwood tonight as they deal with an emergency situation over there.

#### III. Consent Agenda (6:08)

1. Entertainment License and Posted Permits: Community Oven
2. Entertainment Posted Permit: Sea Ketch Restaurant
3. Library Alternate Appointments: Susan Hughes, Diane Crow, Richard Desrosiers
4. Hampton Beach Area Commission Appointment: Richard Griffin
5. Road Closure Request: 4 Pine Road – May 25, 2014
6. Raffle Permit: Professional Firefighters “IAFF Burn Foundation” May 29, 2014
7. Hawkers and Peddlers License: Glenn Surette, Comcast Subcontractor
8. 2014 Veteran’s Requalification Tax Credits and Exemptions: Gehrke Map/Lot 54/12; Three 087 Realty Trust Map/Lot 123/3/9; Haskell Map/Lot 138/1/77; Pole Map/Lot 274/13; Meyer Map/Lot 191/15; Kearney Map/Lot 308/28; Hinkle Map/Lot 13/12; Hatch Map/Lot 208/2; Dubrava Map/Lot 87/20; Roberts Map/Lot 123/1/4

Selectman Woolsey MOVED the Consent Agenda SECONDED by Selectman Bridle.

VOTE: 4-0-0

#### IV. Appointments (6:23)

##### 1. Ed Tinker, Chief Assessor (6:30)

###### a. 2014 Tax Warrant-First Half – July Tax Bills

Mr. Tinker commented: has the first warrant for 2014; total for first half is \$25,281,177.29.

Selectman Woolsey asked about a comparison between this amount and last year. Mr. Tinker commented: last year there was a different tax rate so it is hard to compare; values are up about 1.2% for this year; so taxable value has increased about 30 plus million;

Selectman Woolsey MOVED to approve the 2014 Tax Warrant-First Half – July Tax Bills SECONDED by Selectman Waddell.

VOTE: 4-0-0

###### b. Four (4) 2013 Abatements (7:44)

Mr. Tinker commented: have 4 2013 abatement recommendations; 2 are recommended for denial; the memo that he provided the Board should explain reason for denials; has 2 recommended for refund totaling \$1,848.31.

###### i. Two (2) Recommended Denials: 2013-09 324 Lafayette Rd; 2013-13 7 Trafford Rd.

Selectman Woolsey MOVED to deny the Two (2) Recommended 2013 Abatement denials: 2013-09 324 Lafayette Rd; 2013-13 7 Trafford Rd SECONDED by Selectman Bridle.

VOTE: 4-0-0

###### ii. Two (2) Recommended Refunds: 2013-30 – 6 Ashworth Ave; 2013-13 – 6 Haverhill Ave

Selectman Woolsey MOVED to approve the Two (2) Recommended 2013 Abatement Refunds: 2013-30 – 6 Ashworth Ave; 2013-13 – 6 Haverhill Ave SECONDED by Selectman Bridle.

VOTE: 4-0-0

##### 2. Keith Noyes, DPW Director (8:49)

###### a. National Public Works Week (9:01)

Chairman Bean read the proclamation in regards to National Public Works Week.

Mr. Noyes added the following: coming into his third year in Hampton; continues to be impressed with the quality of the men and women at Public Works; their dedication to this Town; how hard they work on a day to day basis to deliver essential services; things that we take for granted until something goes wrong; how they work as a team with all the other departments in Town; appreciates Boards recognition of them; next Tuesday they will have their annual employee appreciation lunch at 1 o'clock and Board Members along with the Town Manager are welcome to attend.

###### b. DPW Manpower Report

Mr. Noyes explained the purpose of report is to brief the Selectmen on staffing levels at Public Works; to take an opportunity to discuss some part-time vacancies; solid waste and

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recycling collection takes a big toll on the department; the one thing where Hampton is different from other communities that he has worked in, is that for 6 months, things are pretty level, then from April to June things start to ramp up, after Seafood Festival things start to decline for a month, then go back into the 6 months of winter mode; this makes it hard for them to plan work; as far as the collection process goes, they can pretty much put anyone on the back of a truck and can get seasonal help for that; however you cannot do that for the operators of the truck; they go from 3 trucks in the winter to 6 trucks in the summer; how this is also a time when DPW employees want to take time off with their families; very challenging for them to do trash/recycling pick-up efficiently; talked about how when they took over the recycling pick-up, they hired two 32 hour a week employees to help; both positions are now vacant and explained why; have looked at this very closely and how they can get the biggest bang for their buck; how they hope to take the money in the budget and use it for one fulltime employee along with one 40 hour a week employee for 3 months in the summer; explained in detail where the money is in the budget to make this change; this is his request; they would do away with the two 32 hour a week positions; internally this would be a good thing.

Selectman Woolsey commented: appreciates their creativity; need to do more serious planning with next year's budget; talked about when the Town discontinued recycling pick-up, no allowance was made for the additional workload; still need to give the Planning Board direction on trash/recycling pick-up for new developments in Town; does not see how this department can get anything else done during the summer other than waste pick-up; need to really rethink what they are doing; zero revenue so far this year for recycling; sewer buy-in magnificent job done by Chris; under staffed and no time to do the work that needs to be done in the summer.

Selectman Bridle commented: thinks it was a good report; agrees with Selectman Woolsey in regards to manpower needs; in support of the fulltime position presented; need to continue to look at this.

Selectman Waddell commented: going to agree with the others about manpower needs; asked about the benefit of the 40 hour positions which Mr. Noyes addressed mainly related to dedication/loyalty of employees.

Chairman Bean commented: is it requisite upon this Board and the Town Manager to approve this; is it statute and customary practice or is it appropriate for the Director to use his men as he sees fit as long as he is within budget line items.

Mr. Welch commented: they would be changing the work hours of employees; this has to go through the union; this may have to be bargained; must happen before they do anything; another threshold to go over; Board can decide if they are in favor of this; if so then Mr. Noyes can move forward.

Selectman Woolsey questioned if this would be a sidebar agreement and Mr. Welch thinks it might impact union bargaining since it is making part-time employee fulltime.

Chairman Bean stated that there is a consensus amongst the Board for the Director to pursue this change in employee's status.

- c. Wastewater System Development Charges Report (25:21)
  - i. Wastewater System Development Charge

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Mr. Noyes commented: requested to work on this; did some of the same work when he worked in Exeter where this has been in place for 20 years; requiring new growth in this community and developers to pay to connect into the sewer system; process used by a number of communities; asked if the Board has any questions about his report; good way to help fund necessary improvements to the plant.

Selectman Woolsey commented: received clarification from Mr. Welch on the three separate documents in front of them tonight, she has been lobbying for this. Mr. Welch explained fund can be set up after their vote, the funds will be held by Treasurer, funds can be spent for improvements to the wastewater treatment plant, provided an example of how fund will work, compared this to the impact fees for the schools. Ms. Woolsey asked how it helps tax rate. Mr. Welch explained that ultimately it can be used at such time when they may be directed to start planning a new facility. Mr. Welch discussed changes that the Federal and State Governments have made in regards to wastewater treatment plant requirements. Mr. Welch stated that they are basically selling the remaining capacity of the plant with what they are doing here and explained this in detail for the Board. Ms. Woolsey read section of report in regards to revenue from the fund and relationship with Rye and North Hampton. Mr. Welch pointed out that both Rye and North Hampton are billed whenever work is done to the plant.

Selectman Bridle stated that they have discussed this before and thinks it is a good idea.

Selectman Waddell commented: wonders if they have received any feedback and do people know this is coming, Mr. Noyes stated it did come up at a development meeting a couple weeks back; the percentage of Town's that do this and Mr. Noyes does not know but did share some other nearby communities that do this. Mr. Waddell confirmed with Mr. Welch that the money can only be used for the wastewater treatment plant; and he wonders what would happen if the Westside of Town has the chance to tie into the sewer system, what happens to then. Mr. Noyes stated it is actually mentioned since they are already getting a sewer abatement they would not have to pay the sewer assessment fee. Mr. Waddell asked if a property changes its usage, would have to pay for change in use only, Mr. Noyes explained how they would calculate the additional usage; what happens with something that is being built now, Mr. Welch stated if a sewer permit it already issued then they cannot be charged.

Selectman Bridle asked about what happens if someone is building on a property where there used to be a structure but there is not one now such as a hotel. Mr. Noyes stated they would get credit for what was there before.

Chairman Bean asked if this has been reviewed by the Town Attorney, and it has.

i. Wastewater System Development Rules and Regulations

Selectman Woolsey read all the section titles.

Selectman Woolsey MOVED to approve the Wastewater System Development Charge effective May 12, 2014 and the Wastewater System Development Rules and Regulations SECONDED by Selectman Bridle.

VOTE: 4-0-0

d. Waiver for Bid Award – Spot Herbicide Applications (39:56)

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Mr. Noyes commented: this is for a company to come in and spray for weeds around Town; detail explanation of areas they would be focusing on; only had two interested bidders; the low bidder has been doing work for the Town for a long time; the second bidder is over twice the cost of the low bidder; asking for a waiver from the bid process.

Selectman Woolsey confirmed with Mr. Noyes that what they are doing is not going to get into the ground water. Mr. Noyes explained that the company has to get a license through the State.

Selectman Bridle MOVED to waive and approve the bid processing for the Spot Herbicide Applications SECONDED by Selectman Woolsey.

Chairman Bean pointed out that it does not comply with the purchasing policy but it has been identified and the discrepancies have been produced.

VOTE: 4-0-0

Selectman Woolsey asked to make some general comments while Mr. Noyes was present. Chairman Bean gave her the floor. Selectman Woolsey commented that after reading the staffing report, got her thinking about the pressures on department; treated as step child in the past; so far behind not just with staffing but with planning; trench in the shoulder of the road by her mailbox; damaging roads since there is not the manpower to work on the shoulders of the roads, the damage to the roads; when putting together budget request need an in-depth plan/review for this department; concerned that they are really losing the grip of what DPW does for this Town; so far behind in the maintenance of this Town.

Selectman Bridle commented: had a phone call from somebody about the Old Stage Bridge and paving that needs to be done asked Mr. Noyes to look at this; crosswalk painting and possible need of a crosswalk near 401 Lafayette Road.

Selectman Waddell agrees with what has been said and all departments need to be looked at in regards to staffing.

## V. New Business

### 1. Selectmen's Policy Drainage Easements (50:01)

Mr. Welch commented: this policy started 7 or 8 months ago; started having discussions about Town being placed in the position as backup for the subdivisions that were created by the Planning Board as far as the maintenance of drains; Board asked for some sort of a written policy; put this together so that they would have some guidelines; at last Planning Board meeting took the Town out of the drainage maintenance business; ironically, recently one drain that the Town is backup for, has failed; shifting requirements onto the individuals who are causing the drainage easements to be put in place, instead of on the taxpayer; most of the easements service a particular piece of property, and not the Town; will take responsibility for Town drains of course, these are private easement and the Town does not want to be involved with private drainage easements.

Mr. Noyes agrees with everything that Mr. Welch just said.

Selectman Woolsey asked where this will go. Mr. Welch stated that this will go in the General Code Book and will be given to all departments. Ms. Woolsey stated that this needs to be clear to everyone; the responsibility should be reflected in the deed and Mr. Welch

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discussed how failures are dealt with in the past, how the Town has been put in situations where we have had to sue to correct the failures.

Selectman Woolsey MOVED to approve the Selectmen's Policy for Drainage Easements SECONDED by Selectman Bridle.

VOTE: 4-0-0

VI. Approval of Minutes (54:51)

1. April 28, 2014

Selectman Woolsey MOVED to approve the April 28, 2014 minutes SECONDED by Selectman Bridle.

VOTE: 4-0-0

VII. Town Manager's Report (55:09)

Mr. Welch mentioned prior to starting his report that he will be on vacation June 17<sup>th</sup> to the 22<sup>nd</sup> and would request respectfully that they appoint Jamie Sullivan, the Chief of Police as Acting Town Manager during that period.

Selectman Woolsey MOVED to appoint Jamie Sullivan as Acting Town Manager from June 17 to June 22, 2014 SECONDED by Selectman Bridle.

VOTE: 4-0-0

1. The Town Clerk's Office will be closed on Wednesday, May 21 in order for staff to attend annual State training. Please plan your business with the Town Clerk accordingly.
2. Household Hazardous Waste Day is this Saturday, May 17<sup>th</sup> at the Old Court House site on Winnacunnet Road. Collections will take place starting at 8 AM and will end at 12 Noon. Please review the flyer on the Town Website for items to be disposed of.
3. Please remember that the Police Department is engaged in daytime firearms training at the Public Works Facility on Hardardt's Way through this coming Sunday May 18<sup>th</sup>.
4. The Town has a number of Board and Committee vacancies. The openings are listed on the Town Website. Please send a letter to the Board of Selectmen expressing your interest in serving.

In addition, Mr. Welch has spoken to Mr. Schwotzer today and he has provided the Board with the financial reports for April. Mr. Schwotzer will be here next week if anyone has any questions they would like answered by him; they have all been invited to the ribbon cutting at Smuttynose Brewery on May 30<sup>th</sup> from 5 to 8 pm; we have received a CIP in the consumer price index in the Boston region as published during the month of March this is for waste management for the sludge and is effective July 1, 2014.

Selectman Woolsey commented that she has spoken with Mr. Welch and this is just preliminary but after attending the Planning Board meeting last week; thinks we have reached a point here; the Planning Board needs help; knows they are in the process of trying to hire a Planner; really need help; volunteers who serve on that Board; how Mr. Welch and Atty. Gearreald have stepped in; at a point where we need to have legal counsel for the Planning Board.

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Chairman Bean would like to defer this until Selectman Griffin is present, as he is the Boards representative. Mr. Welch explained that it is the statutory responsibility of the Planning Board and the Board has no authority.

VIII. Old Business (1:02:48)

Selectman Woolsey MOVED to move that the Board send a letter to the Planning Board, to comply with the Planning Board's request that goes back to 2013 and direct them to explain to any new developments including private roads and condominiums and commercial, does not apply to residential that the Town of Hampton will no longer be responsible for collecting either waste or recyclables at these locations.

Motion failed for lack of a second.

IX. Entertainment Licenses under review (1:04:11)

1. The Victorian Inn – 430 High Street

X. Closing Comments (1:04:27)

Selectman Woolsey commented that Mr. Welch and Atty. Gearreald have done a remarkable job with the Planning Board during the vacancy of the Planner; they deserve thanks for this; does implore the members of the Board to start giving some serious thought about scaling back on the waste collection; this has to be done.

XI. Adjournment of Public Meeting (1:05:07)

Selectman Woolsey MOVED to adjourn the Public Meeting at 8:00 PM SECONDED by Selectman Waddell.

VOTE: 4-0-0

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Chairman