

August 11, 2014

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

6:00 PM RSA 91-A:3, II (a) Non-public Meeting

7:00 PM Public Meeting

#### SALUTE TO THE FLAG

#### I. Public Comment Period (05:32)

Mike Pierce, 16 Hedman Avenue, asked if something could be put on the website asking for donations of flat screen monitors for the computers that are given to the schoolchildren.

Jay Diener, representing the Hampton Conservation Commission and Hampton/Seabrook Estuary Alliance, invite the Board and the residents to the second workshop on Wednesday, August 13 at 6:00pm at the Masonic Lodge on Tide Mill Road; great representation at the first workshop; subject is how to deal with the sea level rising and protect the wetlands.

Gary Pole, 4 Lyons Street, St. Patrick's Church celebrating their 100<sup>th</sup> birthday with over 500 people, requests police presence at the event for public safety.

#### II. Announcements and Community Calendar (10:02)

Selectman Woolsey mentioned that she continues to receive letters from the public praising our first responders.

Selectman Griffin wished St. Patrick's Church a happy 100<sup>th</sup> birthday.

Selectman Bridle announced that Experience Hampton is having a free concert at Tuck Field on Saturday, August 16 featuring the Brickyard Blues Band from 4-7 PM; and read the letter from the Preston's thanking the ambulance staff responding twice to their house.

Selectman Waddell gave his condolences to the families of the three teenagers from Unity, NH who were killed in a car accident; please drive safely.

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### III. Consent Agenda (13:09)

1. Street Closure Request: Fielding Lane, 09-13-14
2. Seafood Festival Sidewalk Vendors License: Bargain World - 235 Ocean Blvd; Dudley's - 203 Ocean Blvd
3. License for Coin Operated Amusement Devices: Hampton Family Fun - 189 Ocean Blvd

Selectman Griffin MOVED the Consent Agenda SECONDED by Selectman Bridle.

VOTE: 5-0-0

### IV. Appointments (13:21)

1. Chief Silver, Fire Department
  - a. Presentation of Letters of Merit

Chief Silver read the report of an incident that occurred on July 25, 2013 where two distressed individuals who were caught in a rip current and the actions taken by the following individuals of the Hampton Fire/Rescue Crews: Firefighter Kyle Averill, Lieutenant Mike Brillard, Firefighter Jed Carpentier, Firefighter Matt Clement, Firefighter Nate Denio, Firefighter Kyle Jameson and Firefighter Jason Newman. Through excellent teamwork and a coordinated effort, Hampton Fire/Rescue Crews were able to rescue two victims and return to duty in just over one hour.

This event placed our members directly in harm's way and had a successful outcome due to members expertise, training, and diligence. It is for this reason that the New Hampshire Fire Service Committee of Merit awards each member with this Letter of Merit. Three members who could not attend the meeting to receive their letters are Buck Frost, Gregory Smushkin and Donald Thibeault. Chief Silver stated that the Hampton Fire/Rescue Crews are probably the best-trained department on the East Coast.

Chief Silver called each individual from the audience to receive their letter of merit and each member was individually congratulated by members of the Board.

- b. Departmental Update

Chief Silver presented to the Board the following information for the department's quarterly report. No significant fires this year; 2014 year to date there have been three residential fires; eight total fires within structures and nineteen within vehicles or adjacent to buildings; the breakdown by district is 48% in the beach district, 44% in the Town district, 8% in the rural district (not serviced by hydrants) for a total of 1,167 fire incident responses; year to July end there have been 1,406 medical emergencies; an increase of 152 from last year which represents an increase of 12%; year to date there were 232 occasions with simultaneous EMS calls an increase of 28% from last year; call for mutual aid when needed; if an ambulance does transport patient to hospital, call back staff to cover the next ambulance out; replacement ambulance is in service after a lengthy process; next replacement was deferred because the EMS fund balance was a little lower than desired; had many call for extremely sick patients including a significant trauma call in May for motorcycle accident that almost amputated the rider's leg; another significant trauma call on Ocean Boulevard for two women requiring extensive hospitalization and therapy; there was also a water rescue in the

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surf for a hypothermic autistic child; three cardiac arrest saves that have all left the hospital and are doing well; the American Heart Association and CDC report that out of hospital cardiac arrest to discharge with some quality of life afterwards is only 9.5%; do a lot of CPR training in Hampton; it's free of charge for anyone living or working in Hampton; over the last 10 years there have been a number of defibrillators placed around where the public has access to them; earned Hampton the designation as the first heart safe community in New Hampshire; several heart attack calls with successful outcomes; monthly education including run reviews continue to be a success; one of the best programs put in place within the past 10 years; feedback shows it is working; all of the pump testing has been completed; approaching the 1 year anniversary of the station completion; maintain our minimum staffing through the year so far; in addition to the vacation fire inspector position, the secretary in fire prevention resigned; have not filled this position to save the funds in the event the Board chooses to fill the inspector position later this year. In addition to the Letters of Merit presented earlier tonight, several members will be recognized and awarded for their efforts at the New Hampshire Fire Service Committee of Merit Ceremony in Concord on September 29 for another incident that occurred in May 2013. Captain Justin Cutting has successfully completed the process that awards him the professional designation of "Fire Officer". The Commission on Professional Credentialing met on May 6, 2014, to officially confer the re-designation upon Captain Cutting. Justin is one of only 199 Fire Officer's worldwide to receive this designation. The Fire Officer designation program uses a comprehensive peer review model to evaluate candidates seeking the credential. Captain Cutting has been a member of the Hampton Fire Department for 17 years and currently resides in Hampton.

Selectman Woolsey congratulated Captain Cutting for his achievement; the EMS function has ballooned; concerned about staffing; is good to have backup from other communities but want Hampton crew to come to home; concerned about the lack of personnel due to vacations, injuries, etc.; continue to advocate for more positions, have the machines, equipment, facilities but not the people; concerned about balances not being paid in EMS fund balance; want to see the Department grow to service the community; have far more residents now, and the Town is still operating like back in 2005; cannot run it short-staffed.

Chief Silver responded, in regards to the rates and collections; rates set a very appropriate level; do not want to increase the rates; the collection is very good for a service; not possible to collect 100% because there are too many visitors and uninsured folks; write off smaller amounts; never fall more than 2 weeks behind in processing reports; representative on the time of year; still operating on a two year old budget since it's a default budget; put forth a respectable budget for the next year.

Selectman Griffin asked the Town Manager Welch if the actual population was down by a 1000 the last census. Town Manager Welch answered the Town is under 15,000 officially.

Selectman Griffin commented that the number previously used was 17,000, so it's actually down; appreciate the report and the good work; read a thank you letter from someone that went to the station for help; some of the uncollected ambulance debts are from people who have passed on; anxious to hear about staffing and what the Chief think needs to be done.

Selectman Bridle commented the Department has some good equipment and some aging equipment; need to be cognizant of that; need to have the correct manpower; when the rating

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goes down, the insurance rates go up; excellent report and looking forward to going in to the budget season.

Selectman Waddell commented that it is an excellent report; the frontline men do a great job; staffing needs to be looked at during the budget process; congratulations.

Chairman Bean commented that it takes a family to serve; and thank you to families as well.

2. Keith Noyes, Director DPW (44:31)
  - a. Quarterly Report

Mr. Noyes. The Department was deeply saddened by the loss of one of our employees Dan McCarron. Mr. Noyes spoke on the following: the departments had a considerable amount of work this Spring following the busy Winter season; major projects included Hampton Beach infiltration and Inflow study that was performed by Underwood Engineers; done in draft form; preparing an executive summary for the Board of Selectmen with a brief summary; it did show the concerns; second project is the Exeter Road reconstruction; CME Engineers has completed this project and is preparing an executive summary for the Board of Selectmen and will give a project presentation a future Board meeting; both will be in time for budget questions or warrant articles next year; there were a number of personnel change this quarter; hired two new fulltime employees; as of June 30<sup>th</sup> the department budget is in good shape; thinking about November and December;

Mr. Jacobs spoke on the following: every Spring there a number of reports due to the State and EPA; the first is the Collection System Maintenance Report; they want to make sure we're jetting and cleaning the sewer lines which is an annual report; now in the seventh year for a five year permit; in the seventh year of the Waste Water Treatment Plant permit; trying to level the playing field; trying to get all the plants on the same footing; done our part but still waiting on two permits from them; working on the Ice Pond Dam and the Ice Pond Dam; maintaining the water levels; the count of beavers went down by 5; working on the downtown drainage study this Spring; bids were well in excess of money appropriated; the location of the job is a big part of it; it's possible but cost more to do it; are asking for a one year extension; the street sweeper was delivered in March; the pay loader was delivered; found a number of pieces that already looked corroded; sent it back and replacing every part on it at their cost; have a rental one using right now; the backhoe is going to be delivered within the week.

Mr. Noyes spoke about the importance of having good equipment, how it affects morale, productivity and cost.

Selectman Woolsey asked if Mr. Noyes was exploring possibilities of somewhat reducing pickup trucks and focusing on bigger trucks for plowing? Mr. Noyes answered: absolutely; set 2014 goals individually and who is in charge and supporting; trying to balance out the plow routes; trying to look at effectiveness as well.

Selectman Woolsey asked about another component to that; is the ability to shelter the vehicles in some manner; also the ability to wash them down; sitting exposed to the elements; there is a lot of money in equipment down there; needs to be cleaned; need to tell public what you have to go through to wash equipment.

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Mr. Noyes commented he has presented to the Town Manager for 2015 a Public Works master plan; a three pronged approach; look at buildings, vehicles and labor; all three go hand in hand.

Selectman Woolsey hopes there is follow through on it; disappointed in the grant being turn down for the culvert; what's going on at Mace Road. Mr. Jacobs answered there was a sewer line repair. Selectman Woolsey asked if Mr. Jacobs was working on the design for more aeration tanks; the piles are going down; are you still working on that plan? Mr. Jacobs answered: we walked the whole property with that in mind. Selectman Woolsey stated that the transfer station is an incredible service to the Town; the personnel are so nice. Mr. Noyes commented that they get many comments from residents about how nice the employees are.

Selectman Griffin asked what the status with the study is in the past with five corners; what is the status there? Mr. Noyes answered there was a preliminary design done; have estimates; have three or four options with what to do; it's still in the CIP; waiting for the interest from the Board of Selectmen.

Selectman Bridle spoke about the following: employees are nice to public at the transfer station; hope during the budget time it's been cut in sewer and drainage; can no longer do that; sewers are starting to fail; last year you were told to camera the Lafayette Road by Dunkin Donuts; twenty years ago we were told it needed repairs then; spent money already knowing the answer; start looking at what we need to do and plan to do to repair the sewer and drains in this Town; the paving budget has been decreased a lot and we're seeing that around Town as well; need to save our infrastructure, and that employees are out there working hard each and every day.

Selectman Waddell reiterated what was said; the transfer station employees are very nice and polite; the maintenance of equipment is so crucial; pay for it now or pay much more later; the culvert at High Street, with the grant being denied, will anything be done.

Mr. Noyes answered it's something the Board is going to have to discuss; at this point, need guidance on what way to go; need to do something as soon as possible.

Chairman Bean stated that Mr. Welch has listed the Grist Mill in the application; received a letter of efficiency; read the last paragraph; there is a widespread of abutter, community and historical interest for the Mill; suggest the letter be posted on the website; so people have some situational awareness.

3. Peter Ross (1:14:50)

- a. Request Waiver from Sections 769-5.1 & 769-62.D to open Leavitt Road for utility placement

Mr. Welch stated that this road has been repaved in the last five years; would hold him up if we made him wait another five years to build his home; it is unreasonable; something we shouldn't do; recommendation to the Board is to approve the request.

Selectman Griffin MOVED to grant permission to open 91 Leavitt Road in order to allow for the placement of public utility services for the property, and a permit for the opening is obtained from Public Works in accordance with current regulations SECONDED by Selectman Waddell.

VOTE: 5-0-0

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Selectman Woolsey asked: if the utilities could be brought from Winnacunnet Road, and the response was it would not be feasible, as they would cross too many private properties.

V. Approval of Minutes (1:17:07)

1. July 28, 2014

Page 2: correct spelling of Mary-Louise.

Selectman Woolsey MOVED to approve the July 28, 2014 minutes as amended SECONDED by Selectman Griffin.

VOTE: 5-0-0

VI. Town Manager's Report (1:17:54)

1. The Town continues to have openings on Town, Boards, Commissions, and Committees. Please review those on the Town Website and forward your requests to serve in writing to the Board of Selectmen to be advised of your interest.
2. The second Workshop pertaining to Preparing for Climate Change in the Seabrook-Hampton Estuary will be held on August 13, 2014 from 6 to 8:30 PM at St. James Lodge, Tide Mill Road, Hampton.
3. I have forwarded to the Board the materials dealing with the request of the Trustees of Trust Funds for your opinion or edit concerning a warrant article on HB 297 for the 2015 Annual Town Meeting.
4. The State Department of Environmental Services has notified us that we have been dropped from further consideration on our application for funding dealing with replacement of the culverts under High Street at the Grist Mill.
5. Comcast has not completed the installation of cabling for the second channel for the Schools use on our cable system. Appropriate inquiries have been made and we are awaiting return information.

Mr. Welch added: continually monitoring the dam; need to work on completion of the things on the State's checklist; Comcast stated the cabling will be completed by September 1<sup>st</sup> for the School, have the Fire Department online and working in mid-September; in the past it has been the Board's stance that anyone from Human Service Agencies coming in to request funds they will be level to the previous year; if it is not, then they are requested to submit a second petition warrant article; have received two requests that exceed; want to know if that is the position the Board is taking this year.

Chairman Bean asked if a motion was in order for the increases or to respond to keep it at a level funding.

Selectman Bridle. If they want to come in for an increase should the ask for a whole new line item on it they have a chance of losing everything.

Mr. Welch explained that agency is requesting a 100% rate increase and the other a \$230 rate increase; need to know how to write the letter; or doe the Board want them to write a petition article for the whole amount or just the increase.

Selectman Bridle stated just for the increase.

Selectman Griffin asked for Mr. Welch's recommendation.

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Selectman Woolsey explained that when the agencies started requesting money back in the 80's it was in the budget, then taken out; it's an imposition on the public to have to deal with a lot of warrant articles; allow their requests and give it to the budget committee; their budget is miniscule compared to the whole budget; make the adjustment on the line.

Chairman Bean agrees with Selectman Woolsey that a warrant article is problematic; starting to receive initial revenue estimates; it is problematic and challenging for all the budgets heard; respond to the Town Manager via email with your position.

Selectman Griffin asked if can we come up with an answer for the gentleman about the Church's anniversary event? Town Manager Welch responded that we do not want to bill the church for 100% for an officer for their 100<sup>th</sup> anniversary; need to give back to the church; it is a matter of sending a patrol car down there; Public Works can supply the barricades for crossing.

Selectman Bridle asked what do we do if Comcast does not have that done by September 1? Town Manager Welch answered have been talking to a regional executive not the people that are doing the work; he has been pretty reliable; otherwise, letters will need to be written.

Selectman Bridle asked: is there a way to use the message Board signs for the free concert? Town Manager Welch answered: if they are available; need to buy some more signs; get me what you want it to say on it and I'll see what can be done.

## VII. Old Business (1:29:47)

### 1. Seafood Festival Sidewalk Vendors License to businesses south of H Street

Town Manager Welch stated that this has been reviewed with the Police Department; the sidewalks are already occupied with sales; do not need to issue the permits; it is a State owned sidewalk; the area that is closed off there is no problem with; it's not active State property; outside the area there is skepticism issuing permits.

Selectman Griffin asked what is the status is and what we can do about the vacant gas station on Route 1 that is a mess? Town Manager Welch answered that he could write some nasty letters but that's about all; it's a mess.

Selectman Griffin asked how does the Board feel about writing a letter and ask them to do something.

Selectman Bridle stated: I would ask to do that; it's a disgrace and in the center of our Town; done nothing to do anything to clean it up.

Selectman Woolsey commented that they are out of State owners.

Selectman Griffin added that he thinks we should ask them to tear it down.

Town Manager Welch commented that we have asked them to do that and donate it to the Town so we could put a park there.

Selectman Griffin commented there are new owners evidently.

Town Manager Welch commented that the bank had proposed to buy it and were turned them down.

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Selectman Waddell stated: last year right before the Christmas Parade; asked permission to go in and mow it and they said no.

Chairman Bean as a point of order, to solicit a motion for the Town Manger to staff some courses of action and address them at the next meeting.

Selectman Griffin MOVED to approve Town Manager Welch to staff some courses of action in regards to the old gas station on Route 1 and address them at the next meeting SECONDED by Selectman Bridle.

VOTE: 5-0-0

Selectman Griffin stated: in regards to five corners, do what we need to do to at least open the question again; find out what the people are looking for.

Town Manager Welch will have Mr. Noyes send you the three different proposals, so you have some basis. Selectman Griffin asked that you have him send it to the whole Board.

Selectman Bridle. The only complaint this week is about a sidewalk on State property; there has been a barricade there because of a pothole. Town Manger Welch explained that the State has been notified three times; called the district engineer; put the sawhorse there because people were tripping on it; didn't want people to get hurt; State says they don't do any work on the sidewalks; they belong to the Town as far as the State is concerned in regards to maintenance.

Selectman Bridle. I'd like them to send that to us in writing. Town Manager Welch pointed out that the owner of the store that is affected by this is a relative of a former high State official; might expect some telephone calls from Concord.

Selectman Waddell commented that there are very offensive t-shirts down the beach; people should stop in as individuals and ask them to remove them; not mildly offended.

Town Manager Welch concurred that citizen complaints seem to work in situations like that.

Chairman Bean commented that he had bumped into Warren Mackinson, the money in the piggy bank is approaching twenty million dollars; it's a report of the trust funds; it's a status update; a performance review; four documents; put it on the agenda next week; get it on the website.

Selectman Woolsey is tired of hearing about roundabouts on Little River Road; no more dangerous or annoying than any other intersection at Town.

Selectman Griffin commented that we need to let the people have a voice on that; and asked about the joint operation plan in our packet. Town Manager Welch responded that it is not a completed plan, as it needs to be reviewed, it is their latest proposal to the Town. Selectman Griffin commented that if we are going to consider this, he has an issue with the short period of time left. Town Manager Welch responded that it has to be one year at a time.

Chairman Bean asked the Town Manager if he has a recommendation for it to be brought back, and when we could have this on the agenda?

Town Manager Welch. I have it on for the next meeting; I was hard on them and that the JOP needs to be done by April 1<sup>st</sup> of every year, that we need to start working on the JOP in November, the last question I asked them, it had taken them four weeks to answer.

VIII. New Business (1:42:20)

1. Plodzick & Sanderson Town Auditors request for extension of contract for 1-year

Town Manager Welch explained that the contract with our auditors ends this year; our audit was successful this year; they reduced the cost; very pleased with our work; they would like to extend the current contract for 1 year at the same price we've paid the last three years; have no objections to that but will go out and bid beyond that period of time.

Selectman Woolsey MOVED to approve Plodzick & Sanderson Town Auditors request for extension of contract for 1-year SECONDED by Selectman Waddell.

VOTE: 5-0-0

2. RSA 31:95-b,III(b) to accept the following separate donations to the Recreation and Parks Department:

- a. Hampton Rotary - \$780.00
- b. Hampton Co-Rec Softball League - \$2,000.00
- c. Loco Sports - \$2,000.00
- d. Private Donor - \$1,000.00
- e. Convenient MD - \$2,500.00

Selectman Woolsey would like to know what the last one is; know that the Rec Department could use it but would like to know what that one is. Town Manager Welch it is a new walk-in clinic type setting.

Selectman Bridle asked if this money going for anything in particular? Town Manager Welch answered ultimately yes; use it to fix the skateboard park; things made of wood that need to be replaced frequently.

Selectman Bridle spoke about the amount of kids and adults that use that skateboard park is impressive; nice of these companies and individuals to step up.

Selectman Woolsey MOVED to approve the acceptance of the following separate donations to the Recreation and Parks Department under RSA 31:95-b,III(b): Hampton Rotary - \$780.00; Hampton Co-Rec Softball League - \$2,000.00; Loco Sports - \$2,000.00; Private Donor - \$1,000.00; Convenient MD - \$2,500.00 SECONDED by Selectman Bridle.

VOTE: 5-0-0

Chairman Bean spoke about the letter to Mr. Welch from the Parks and Rec Director about the donors from this list who are asking to put signage at Tuck Field; there is no advertising at that park; will be overcome by signage that will be graffitied and worn down and businesses change.

Chairman Bean requested to amend the motion to preclude advertising at this park and any recreation site and to include research at a future date to look at the deed and to put a restriction of no advertising at any recreation facility in Town.

Town Manager Welch commented that the list of donors could be put on the website for a number of months.

Chairman Bean requested a voice vote of who would be in favor of including the amendment to the motion.

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VOTE: 3-2-0 (Griffin, Bridle)

Selectman Bean stated the motion for the amendment carries.

IX. Closing Comments (1:46:32)

Town Attorney Gearreald suggested the Board recess to a non-meeting with legal counsel to enable the Board to come back and vote on what is discussed if necessary.

Selectman Woolsey MOVED to recess to a non-public session with Legal Counsel at 8:40PM SECONDED by Selectman Bridle.

VOTE: 5-0-0

Chairman Bean announced that at 8:51 PM the Board came out of nonpublic session, and requested Attorney to define a motion for the Board.

Town Attorney Gearreald explained that the tenants of 33 and 35 Dover Avenue, a piece of Town land they have been leasing; they got an appraisal of \$700,000; the Assessor's Office has received an appraisal of \$850,000; the values vary by more than 10%; the ability to appeal for an absolute valuation of the lot in question; a motion could be to exercise the right to arbitration to determine the value by the Real Estate Commission.

Selectman Woolsey MOVED to exercise the right to arbitration to determine the value by the Real Estate Commission SECONDED by Selectman Bridle.

VOTE: 5-0-0

X. Adjournment of Public Meeting (1:58:35)

Selectman Woolsey MOVED to ADJOURN the Public Meeting at 8:53PM SECONDED by Selectman Bridle.

VOTE: 5-0-0

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Chairman