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September 29, 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 Consultation with legal counsel, RSA 91-A:2, I (b), and Nonpublic Session
RSA 91-A:3, II (a)

7:00 PM Selectmen's Meeting Room

SALUTE TO THE FLAG

I. Public Comment Period (4:42)

Mr. Michael Pierce, 16 Hedman Avenue, wonders why the budget is still not up on the website; the voters are the ones that need to be informed; wants to know why it isn't; asked for the budget and was told no; asked for in a 91a; five days later was told it would either need to be on a cd or printed not a simple email; received it five days later and twenty-five dollars later; if remember correctly 91a says what it cost to produce the item; there is no way it could cost twenty-five dollars; it's outrageous; has own copy now and willing to share with all the taxpayers who would like to see it; concerned about that being an open and honest government.

Mr. Jay Diener, representing Hampton Conservation Commission and Seabrook Hampton Estuary Alliance, the fourth in a series in a workshop dealing with sea level rise, flooding, and storm surges is October 8, 2014 at Seabrook Public Library located at 25 Liberty Lane starting at 6:00pm and going to about 7:30pm; dealt with a variety of issues during the workshops; this particular workshop is covering the community rating system; FEMA process through which a town can through actions it takes to reduce the impacts can lower the flood insurance rates; a state representative from FEMA will be there to answer questions; also be talking about an audit of municipal regulations; conducted by the Rockingham Planning Commission; will be looking at the master plan.

II. Announcements and Community Calendar (10:07)

Selectman Woolsey stated: had a great number of complaints over the past weekend due to the good weather with the parking situation at North Beach; garbage and empty bottles thrown all over the road; parking in inappropriate areas and residential areas; assured

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residents in that area that we will be settling down to do some work on the situation; will be posting meetings and information meetings where residents can come talk.

Selectman Waddell stated: disagree with Mary-Louise a little; it wasn't messy there; in the work area people are being conscientious of what's going on and using the barricades; good cooperation between the police and the company to get things really safe down there.

Chairman Bean stated: kudos to Chief Sullivan for some magnificent leadership during the Town Manager's absence.

III. Appointments (11:59)

1. Chief Sullivan, Police Department

a. 2015 Budget

Chief Sullivan stated: in general, proposed a number of the things to the Town Manager based on some direction from the board; a number of things were outside of trying to keep a tight restricted budget; couple tremendous things we need to have addressed pretty quickly is an increase in training; another major ticket item is cameras that are beginning to fail in the building; proposed a process to go to bid on upgrading the entire system; anticipate entering a long-term agreement to address that issue; those are the major issues; wage increases required by CBA; continue with vehicle replacement program; changing over from the Crown Vics to the utility vehicles.

Selectman Woolsey asked: have any calculations on what's going to impact you in regards to electricity? Chief Sullivan answered: those are changes that come after we've submitted the budget; seem to be running within our range at the moment. Selectman Woolsey asked: there is a proposed warrant article for hiring three new fulltime police officers and restoring the position of police lieutenant; don't want to see that as a special money article; want to see it in the budget; needs to be done for the department; in favor of putting this in the budget; Selectman Woolsey MOVED to add to the Hampton Police budget the total sum of \$215,056 for the purpose of hiring three new fulltime police officers and restoring the position of Lieutenant; as of what date Chief; this will fund what?

Chief Sullivan answered: the initial proposal had us looking us toward an April-May timeframe; that proposal was taken out and as well as funding for a secondary class for specials was pulled for a warrant article.

Chairman Bean asked: there is a motion; is your motion complete? Selectman Woolsey stated: yes. Chairman Bean asked: is there a second for the motion; there is no second.

Selectman Woolsey commented: dreadful disservice to the public not to fund this department to operate the way it should; no problem with the budget.

Selectman Griffin stated: have no problem with the budget; this is a year we have to wait and see.

Selectman Bridle stated: excellent budget; need to look everywhere we can while keeping the public in mind.

Selectman Waddell asked: with the training that went up so much, could you give a little explanation? Chief Sullivan answered: it's in the patrol training area; training is very expensive and generally on an overtime basis; dealing with the core critical training

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functions; use of force things; find we are not moving forward; high risk areas we need to continue to work on. Selectman Waddell asked: something that if you didn't do it and we had a lawsuit, it'd cost a lot more in the end, wouldn't it? Chief Sullivan answered: it could; training in a vital and important part; need to continue to challenge; specific classes and training to move them forward.

Selectman Woolsey commented: don't want to see government by warrant article; don't want to see public in this town pressed to make a decision; we're supposed to be the executive board; we're supposed to understand what is going on; we're supposed to understand the needs of these departments; we're supposed to understand particularly public safety; will not support having an increase in personnel for this department on a warrant article.

Chairman Bean stated: that comes up later on in the agenda; you may be joined by unanimous vote that there is no support for that method of adding forces.

Chief Sullivan added: one other area is the Health and Human Services Animal Control budget that we do; essentially a repeat budget; added that we need to address a vehicle issue there; unfortunately under the cuts that has been removed; this is the wage adjustments to continue with the great service Mr. Mackinnon does for the community.

2. Brian McCain, Channel 22 (21:41)
 - a. New Equipment
 - b. Refurbish old Ultra Nexus

Mr. McCain stated: hear to talk about the sound problem we had; need to replace everything; it's at least fifteen years old; gave you a list of the bids and reasons why; to replace just the audio would cost \$6,230.42; include three mixers, 10 table microphones. 4 ceiling microphones and necessary cable; other equipment is to make sure we don't go down again; if it were to go down, could get back up within an hour; data video mobile station at \$6,200 which would cover if the switcher went down; it would flip up in its place; could be used at the Fire Station when we get that up and running; other equipment is to just have on hand; have another TV in back; that with the audio the lowest bid comes in at \$13,381.48; we need a new Ultra Nexus for SAU#13; the other one will be refurbished and used as a backup for both; bids came in late Friday for that.

Mr. Paquette added: have a lot of single point of failures; if we lose one piece of equipment we are going to lose everything; anything in-house from the list we can do in an hour with the parts on hand; that's what killed us is that we didn't have parts on hand; have an aging infrastructure back there; having a few parts would make life much easier.

Selectman Woolsey stated: this goes back to September 1996? Mr. McCain stated: it is the same equipment as far as I know. Selectman Woolsey stated: can't make heads or tails out of the parts you need but if you need them then do it. Mr. McCain stated: believe we need the audio yes; every one of the mixers that is running back there now has a problem with it; have three making two work; can get those rebuilt and have them as spares.

Selectman Griffin stated: surprised when it first happened; have a lot of confidence in the way you take care of it in there; all for it.

Selectman Bridle stated: do a great job at band aids; too long haven't put money back in the system; very important station stays up and running all the time; need to spend money on it; pay that extra fee so they can have that extra service.

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Selectman Waddell asked: money comes out of the fund you have, correct? Mr. McCain answered: it comes out of the franchise fees; it's not taxpayer. Selectman Waddell asked: do you have any plans on coming up with like a five year plan on replacing periodically? Mr. McCain answered: we are going to do that; talked to Access AV on a preventative maintenance plan; they can come down every year; the exact figure is \$13,381.48.

Chairman Bean asked: what is that for? Mr. McCain answered: everything on the list; for the sound system and other equipment that would backup what we have in there.

Selectman Griffin MOVED to approve the sound system and other backup equipment in the amount of \$13,381.48 SECONDED by Selectman Bridle.

VOTE: 5-0-0

3. Attorney Stephen Roberts (30:49)
 - a. Repairs to the seawall at 1042 Ocean Boulevard

Mr. Barry Gormley, on behalf of Stephen Roberts, stated: originally approved in April of 2013; the architect provided the builder with a site plan that did not contain stair details; the stairs were installed on an angle instead of perpendicular as they were originally approved; has set off a round of visits to various boards; been to at least each board twice; became apparent that the town felt Mr. Gacek conducted himself as if he were above the rules; it was simple miscommunication between the architect and contractor; thought the straight stairs did not provide an adequate barrier to the water; it would chute the water onto the property instead of blocking it; Mr. Gacek saw it and did not come to any board because the physical dimensions of the wall did not change; once we got back to the Conservation Commission it became clear it was a very serious thing; last October met with the Conservation Commission which recommended against approving the seawall to the Planning Board; the Planning Board heard the technical details and approved it as built; now informed the Board of Selectmen don't want what the Planning Board has approved; wants it to be ripped out and built as originally approved; can appreciate the fact that the town has a great interest in people abiding by the regulations and building as approved; Mr. Gacek has paid a stiff financial price to deal with this; any suggestion that he is getting away with something or that there is a risk of a precedent being set is erroneous; only precedent that has been set is if you deviate from the approved plans, you're going to have a very difficult time with the Town of Hampton; suggest requiring what has already been built to be ripped out to build another wall with a different stairway obtains the town nothing; it will only cost Mr. Gacek tens of thousands of dollars to no-one's benefit; suggest and request at least to the technical aspects of the wall abide by the Planning Board; with technical approval give us the approval to continue and finish this; seems the only issue is the stairway is deviated; have paid a hefty price for that; here to ask for a permit for us to complete the wall as built.

Town Manager Welch stated: the Town's perspective is the applicant went to Planning Board and Conservation Commission with an application that was subsequently approved by both boards; forwarded to the Board of Selectmen with that application being approved along with the plans; a different wall was built; has no similarity to the plans at all; it's a concave plan instead of a straight wall.

Chairman Bean added: going to need your experts up here.

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Town Manager Welch stated: two plans don't coincide at all; that went back to the Conservation Commission and back to the Planning Board; came back to the Board of Selectmen and the Selectmen said no; that is where we stand at the moment; read the application; don't see a single plan; talking about modifying the plan that was built without a permit; there is no plan showing how you are going to modify that; don't know how we inspect it; how we put it into our record base or assess it. Mr. Gormley stated: this is the plan that was submitted. Town Manager Welch stated: sent in this plan plus a letter? Mr. Gormley stated: sent in three plans.

Town Manager Welch asked: there was a description that came with the plans of what was going to be done? Mr. Gormley answered: yes, correct. Town Manager Welch stated: don't see that on the plan; don't see how you're going to modify the existing wall; have no way of knowing; going to rework the wall.

Chairman Bean stated: we're talking about a plan and a delta from the plan; you're the engineer; could you please explain what are those technical differences? Mr. Miller stated: the major difference was the curved stairs coming down through the middle of the structure; it has a side wall on it and wraps around and does a curve down; the contractor thought that was a better approach because the waves won't going running up the stairs; some of the stones used were too small.

Chairman Bean asked: you are an engineer? Mr. Miller answered: yes; have a Bachelor's degree in Civil Engineering and a Master's in Ocean Engineering; specialize in doing waterfront projects. Chairman Bean asked: so we're talking straight versus a curved; that's the difference? Mr. Miller answered: correct; the reworking plan is to get some bigger stone and get it more in compliance with the original plan; a portion of what was built was too steep; matter of reworking that stone; probably would not entail talking it all out.

Town Manager Welch stated: point is that you have this plan you have now presented to us; you have a plan that was actually built; there is no difference; nothing explained where those changes are and what those changes will be; we are responsible to ensure the wall is built properly, that it has a permit and that it gets properly assessed for taxes; can't do that without a proper plan; plan is not as detailed as original; approved plan wasn't built; something similar to presented plan was built; not comparing the two and showing us where the exact changes are going to be. Mr. Gormley stated: Mr. Gacek is most interested in making this a solid wall as it's protecting his property; no interest in doing a half-hearted job.

Town Manager Welch stated: don't come in with a set of plans that are really not explanatory of what you are changing versus what is there now; can't expect us to approve that without some information; sent in a dialogue of what you are going to do and it's very vague.

Selectman Woolsey stated: I would like to hear from Mr. Diener. Chairman Bean stated: we're talking about technical aspects of the wall and any deviation. Selectman Woolsey stated: originally sat on the board that approved the plan not built; agree with the plan that was not built; would like to hear Conservation's reasoning of what they found was a problem. Chairman Bean stated: we'll bring Mr. Diener in a moment. Selectman Bridle stated: would like to hear from Mr. Diener too.

Selectman Waddell asked: original one wasn't built; went back to the Planning Board with the change and they approved it. Mr. Gormley stated: yes; had to go back to the beginning of

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the process; Conservation Commission doesn't recommend it; Planning Board hears that but still approves it; Board of Selectmen are saying no you can't do it; now we can't do anything.

Selectman Bridle asked: went back to the Planning Board after the wall was built? Mr. Gormley answered: yes; once we were told how significant this deviation of the stairway was, that brought us back to the beginning.

Selectman Waddell asked: so the Planning Board approved this? Mr. Gormley answered: they approved both; the initial one and the new one. Selectman Waddell asked: my question is, the plan that you said is not the plan, is that the one the Planning Board approved; the modification? Mr. Gormley answered: yes.

Chairman Bean stated: attempt to meet code and build and increase the tax base and do wonderful jobs with your properties; hire professional engineers that have their own professional liability insurance; have a great degree of confidence in the private sector; have a great degree of confidence in the risk management transfer verse you have for your homeowner's policy that would go out and inspect and they have a very high standard of compliance; if they deem it inappropriate, risk hazardous, dangerous, you won't be able to secure property and liability insurance there; don't believe that is the case; on a property such as yours, you pay a significant amount of taxes to the town; thankful you have the confidence in this town and in leadership and your neighbors to come aboard; appreciate you being here; reviewed this incident; kind of set up for a catch 22; doesn't seem possible that you can comply; told that you have been approved then there is a subsequent letter in December 11, 2013 says that the Selectmen can add additional requirements; there was an initial problem; plans have been approved by the Planning Board; have confidence in what you are doing and confidence in the engineer; at the point now, you were delayed on a certificate of occupancy, sympathetic to a spiral stair and a modification and that our code enforcement and our leadership become sympathetic to that; we address that and move forward and not cause you an extraordinary expense when you have been approved by one board; another board say yes at one point to this plan that has been approved; the Selectmen can sit here as a board and pose additional requirements on you; it's a standard that's too steep; we are not engineers.

Selectman Griffin stated: part of the problem is certain things that were not part of the plan like electrical outlets were installed that were not really installed; left a lack of confidence that things were being done the correct way; believe that has all been taken care of.

Selectman Woolsey stated: don't have to be an engineer to figure out that residents are doing a number of seawalls to protect their property; see something like this happening where you don't follow the plan and get away with it why can't they too; going to have an effect that is not proper for the town; seawalls are necessary and need to be built to the specifications; forget the creativity; if we start having a snowball effect; the other property owners would have every right to step up and say they did it, I can do it; don't like that.

Mr. Diener stated: refer to the plans as 1, 2 and 3; plan 1 was the plan that was originally submitted and approved by both the Conservation Commission and the Planning Board; plan 2 was the as-built that was submitted after the wall was built; Conservation Commission did not recommend approval of that revetment; Planning Board did approve the issuance of a special permit with the proviso that the Selectmen would go along with that; Plan 3 is the plan that was submitted today that deals with additional work that is being proposed for the revetment; reason Conservation Commission did not recommend approval of Plan 2 was that

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it was so dramatically different than the wall that was originally proposed; the stairs were curved and along that stairway you have a steep flush vertical wall; all the other revetments along the beach you find huge boulders that are stuck in at odd angles; walls built that was to break up the wave action to protect the properties; based on everything else built, don't see flush vertical walls is probably not the best way to go; as far as the water rushing up the curved stairway versus a straight stairway, during storms it didn't matter, the water came rushing up; don't see that as necessarily a benefit; for a while it was the attitude it's easier to ask for forgiveness than permission; greatest fear is that it's going to start that process all over again; going to be to the detriment of the town; with the plan that was submitted today and the narrative to go with it, no understanding of any additional work that is proposed for that revetment; don't see it on the plan; the narrative is vague enough that don't really understand what is going to be done; can't go out and inspect what they have done and say yes they did what they proposed to do; part of the job is to go and look at projects once they are completed and say what was done is what is on the plan; can't do that here because we don't have enough information to do that.

Chairman Bean stated: mentioned there isn't enough information to go; request the engineer address that point. Mr. Miller stated: reworking is to put the cross-section of the revetment back to the way it was originally proposed. Mr. Gormley stated: the plan that Mr. Welch referred to earlier that he was happy with, this is simply demonstrating how we're going to get back to that cross-section; the detail that they're happy with is before them; showing them how we're going to get back there.

Chairman Bean asked: does that address your concern? Mr. Diener answered: not exactly; do not know what part of the revetment they are referring to. Chairman Bean stated: could you two engage in a dialogue please. Mr. Miller stated: it's both sides of the stairs; the complete revetment needs to be brought in compliance with the original plan with the exception of the stairs. Mr. Diener asked: is there a way you can show that on a plan? Mr. Gormley answered: yes. Mr. Diener stated: that plan shows the area that is going to be worked; but have no idea what work is going to be done in that area; that plan doesn't show that detail. Mr. Miller stated: the cross-section that we need to have, there is the cross-section on the original set of plans. Mr. Gormley added: the one approved by everyone. Mr. Miller stated: the only difference is the curved stairs versus the straight stairs. Mr. Diener stated: would like to see that in writing.

Chairman Bean stated: to answer your question, he's provided he's an engineer in the State of NH; Hampton tax payer; higher degree of trust; get documentation from this team; will adhere to the standard of the initial application; is that correct; restate what you just said please. Mr. Miller stated: the cross-section that you'll see through that revetment is to take it back to the original set of plans. Chairman Bean asked: was that set of plans approved? Mr. Gormley answered: yes.

Chairman Bean stated: with documentation subsequent to this meeting that it will go back to compliance with the original; is that a measure of detail that will satisfy you? Mr. Diener answered: to be honest with you, I would need to see the plan before I answered that. Mr. Gormley stated: it was this board that approved that original. Mr. Diener stated: not arguing that point; presenting a new plan; making some changes to an existing wall that was built differently than the original wall; want to see the detail of what those changes are and where they will be; not seeing that; require that of every applicant; not being inconsistent.

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Chairman Bean stated: told there will be strict adherence to that was approved by your board; was that plan also approved by the Planning Board? Mr. Gormley answered: yes.

Selectman Woolsey stated: they will build to the original plan except the stairs; what do you mean except for the stairs; that's a big except. Mr. Gormley answered: that's the issue; to change the stairs we'd have to rip the wall out and do it back again. Selectman Woolsey stated: telling Mr. Diener you're going to the original plan; the current stairway was not in the original plan; want straight up front answers here; want to know precisely and exactly what you are planning on building. Mr. Gormley stated: those plans were presented to the Planning Board that reviewed them in detail and approved them.

Selectman Woolsey stated: the Planning Board approved the initial concept; sounds like you're double talking the Conservation Commission; saying you're going back to the original plan except for the stairs; that's a big except? Mr. Gormley stated: not double talking anyone; laying out the history of this project; explained why the curved stairs happened; unfortunate it did happen; suggestion by requiring them rip it out all that's being done is inflicting a financial penalty to no benefit to the town.

Selectman Woolsey stated: if everyone did this after they have a plan approved, we're in chaos; cannot do business this way; particularly in that area. Mr. Gormley stated: if anyone saw what we've been through due to this error; shining example why you abide by the plans approved; time, money, and effort put in due to this error is significant; not representative of an easy path by anyone; sorry it didn't happen that way; doesn't benefit anyone to just say rip it out. Selectman Woolsey stated: a forgiveness of error or whatever it was; if we start approving errors; it's going to have a spillover effect.

Selectman Griffin stated: would like to see the project go forward with the idea that if it's not built exactly the way it's supposed to from this point, if there is anything wrong then that will be the end of it and rip the whole thing out.

Chairman Bean asked: are you in support of the stairway as it remains right now: the circular? Selectman Griffin stated: yes as long as they are going to do what they said; they made it hard for themselves when they put the electrical sockets in there and stuff like that; that's where the problem began here; have these things come up all the time; usually very, very simple. Chairman Bean asked: who is the rep to the Planning Board? Selectman Griffin answered: I am.

Selectman Bridle stated: none of us are engineers; don't know if a straight or curved stairway is better or worse; if we had a plan that is more detailed on keeping that curved stairway but what you are going to do, that would go a long way; don't want to penalize you by making you rip out a stairway; if we could have a plan that stated what you are doing; take it back to the original plan with the exception of the stairway and this is the work we are going to do to get to that. Mr. Miller stated: that's what has been stated; want to see the cross-section of the revetment look like the original plan; that is what it was designed for and that's the way it should be to be resistant to storm ways; go back and work rework these areas to be compliant with the original plan.

Selectman Waddell stated: think a mistake was made; penalizing someone is wrong; Planning Board has more experience than I do; as long as it is safe and efficient in the end; not going to nitpick the details.

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Chairman Bean stated: seems that there is a consensus that there was a plan that was approved; they will adhere to that; present that as a planning board member. Selectman Griffin stated: would like to make the motion but if anything is not right would like them to understand that they've dug their own grave if it doesn't come out right

Chairman Bean asked: motion would be to go back to the original plan that was approved and the cross-section. Mr. Miller stated: the cross-section on the original plan and reworking the areas as shown in the third plan to bring it into compliance with original with the exception of the stairs.

Selectman Woolsey stated: we haven't heard from Town Counsel yet. Chairman Bean stated: we have heard from Counsel; we've heard all summer and have a boatload of research. Selectman Woolsey stated: objects; Town Counsel has asked to be heard.

Selectman Griffin MOVED to approve the cross-section of the original plan with the exception of the stairs SECONDED by Selectman Waddell.

VOTE: 4-1(Woolsey)-0

IV. Approval of Minutes (1:06:04)

1. September 11, 2014

Selectman Griffin MOVED to approve the September 11, 2014 minutes SECONDED by Selectman Waddell.

VOTE: 4-0-1(Woolsey)

2. September 15, 2014

Selectman Bridle MOVED to approve the September 15, 2014 minutes SECONDED by Selectman Griffin.

VOTE: 4-0-1(Woolsey)

V. New Business (1:07:04)

1. 2015 Proposed Warrant Articles

Town Manager Welch stated: believes there are by count, forty-three drafts of warrant articles not including any petition articles that may come in; they are there to give the Board options with regards to things that people have talked about during the year; they are up to the Board to approve them and see them move forward or see them removed from the warrant; Article 1 is always the election of officers; did put in Article 2-6 as zoning board amendments; proposed bond issue that was submitted by Public Works that would have to be Article 7 before the budget; have the Town budget; the CBA's for the Fire and Fire Officers following the Town budget; all the rest are ranked in order by cost that was estimated; there is a reason for that; the State judges things if you get in the 10% vote area; want the smaller items to fall off the end; Board needs to go through articles and make the decision on the articles you'd think you'd like to appear then we can start perfecting the articles and get them back to you in proper wording form.

Selectman Woolsey asked: could we have the Manager go down the list; we're going to have to do it sooner or later. Chairman Bean stated: there are forty-three; it has been a busy week; Mr. Welch has just come back from vacation; Mr. Griffin has been elsewhere; have forty-one

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articles and have not researched these; have a position on adding employees; haven't had time to do this; would like to put it on the agenda for next week.

Selectman Woolsey stated: you said you would put it on the agenda this week and now it's here; we have time tonight. Chairman Bean stated: make the motion if you would like to go through these; I don't have forty-three; I only have forty-one.

Selectman Woolsey MOVED to have the Town Manager go down the list so the Board can weed out the articles that we think are not appropriate for the 2015 Warrant SECONDED by Selectman Waddell.

VOTE: 5-0-0

Selectman Bridle asked: could the Town Manager just give us a highlight on them?

Selectman Griffin stated: this is pretty much how we have always done it; there are some we can pretty much get rid of; this isn't the night we are going to sit here and beat them to death.

Article 7 is the bond issue for Exeter Road reconstruction including utilities, drainage and sidewalks at \$5,785,000. Selectman Woolsey stated: can't begin to tackle that tonight. Selectman Griffin stated: need to talk about that more.

Article 8 is the budget; Article 9 and 10 would be the CBAs for the Fire Officers and Firefighters; Article 11 is submitted by Public Works; it's for the west side sewer replacements for Hobson, Johnson, Riverview, Fellows and Harris at \$1,145,000. Selectman Griffin stated: that's one we are going to have to talk about.

Article 12 is a purchase for a new fire engine at \$575,000. Selectman Woolsey stated: leave that on; need to replace the 1988 pumper; if we want to pull some we ought to do it now.

Article 13 would be Department of Public Works equipment purchases a ¾ ton pick-up with a plow, a 3-ton dump with plow, and two 6-wheels dumps with plows \$365,000. Selectman Woolsey stated: need to review that with the Public Works Director and get that rolling stock list; not happy about not purging the rolling stock.

Article 14 is Road Improvement Capital Reserve Fund for \$300,000 with Public Works request to remove \$100,000 to pave Belmont, Fairfield, and Ruth. Selectman Griffin stated: think that is one we can go along with. Selectman Woolsey think it belongs in the budget;

Selectman Griffin MOVED to make Article 14 Road Improvement Capital Reserve Fund for \$300,000 to pave Belmont, Fairfield, and Ruth SECONDED by Selectman Bridle for discussion. NO VOTE

Selectman Woolsey stated: should have Fairfield reconstruction in the budget; purpose of the Capital Reserve Fund is to build up enough money to do major projects; they sucked the Capital Reserve Fund dry; trying to build it up again; want to see the Capital Reserve Fund article on with the \$300,000 with no authority to withdraw; only have \$611,000 in that fund.

Town Manager Welch responded that two articles down is the Highway Block Grant Paving Fund for \$200,000; receive about \$300,000 annually from the State of NH; supposed to be used for maintenance of highways; the proposal here would be to take \$100,000 to do Fairfield, Belmont, and Ruth; take \$100,000 to do other streets in town; could come from State revenues. Selectman Woolsey stated: so take the Fairfield part out of that Warrant

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Article. Selectman Griffin stated: don't think we are accomplishing anything here; losing confidence in this process right now.

Chairman Bean stated: can we hear the motion again.

Selectman Griffin stated: going to wait and have people here to lead us the right way, if we're making a decision on it being a warrant article I'd rather it be a warrant article. Selectman Bridle stated: I seconded it for discussion; after hearing the discussion about the highway funds does shed a little light on it; would like to hear from the Department Head on it. Selectman Griffin stated: that's why we shouldn't be doing this now.

Article 15 is three new Police Officers and reinstate Lieutenant's position \$215,056.

Selectman Woolsey MOVED to take that off the special warrant articles and insert the money in the Police budget. Chairman Bean stated: that was a two part motion; to remove it and add it to the Budget, what is the price on that?

Town Manager Welch answered: \$215,056. Chairman Bean asked: is that a full annual? Town Manager Welch answered: no. Chairman Bean asked: what is the full annual on that? Town Manager Welch answered: can't tell you; just have the amount that would go in the warrant article. Chairman Bean asked: does it include FICA? Town Manager Welch answered: it includes everything. Chairman Bean stated: so we don't have an annual. Town Manager Welch stated: covers thirty-nine of the fifty-two weeks.

Selectman Woolsey stated she will reconfigure my motion to withdraw that article. Selectman Woolsey MOVED to take the warrant article for police positions off as a warrant article list SECONDED by Selectman Bridle.

VOTE: 3-1(Griffin)-1(Waddell)

Chairman Bean stated: the Warrant Article 15 is removed from warrant consideration.

Article 16 Highway Block Grant Paving spoke about this under Article 14; Article 17 Human Service Agencies \$161,651, but it keeps changing as information comes in. Selectman Woolsey stated we need to leave that one on; clarify guidance on existing charities.

Article 18 is Town wide revaluation at \$146,000; Article 19 is the Recreation Fund \$129,981; no tax impact; Article 20 reinstate Fire Inspector position \$121,454 for 39 weeks.

Selectman Woolsey MOVED to pull Warrant Article 20 SECONDED by Chairman Bean.

Selectman Bridle stated: believe it is already in the budget. Town Manager Welch stated: it is in the budget; did not recommend it. Chairman Bean stated: adamantly opposed to it. Selectman Bridle stated: have no problem with pulling it as long as the Fire Chief has it in his budget.

VOTE: 4-0-1(Griffin)

Article 21 is to update massive drainage plan \$100,000 submitted by Public Works; Article 22 is separate warrant article for 100,000 to pave Belmont, Fairfield, and Ruth.

Selectman Woolsey MOVED to pull Article 22 SECONDED by Selectman Bridle.

Chairman Bean asked: does anyone know what that is about? Selectman Bridle answered: it's the road we fixed the drainage on two years ago; should be repaved; as long as we have the money from the other grant, have no problem pulling it.

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VOTE: 5-0-0

Article 23 is for energy and safety improvements to the Town Offices \$100,000. Selectman Griffin asked if it belong here or should it be in the budget? Town Manager Welch answered: it's a capital improvement to the building so probably here. Selectman Bridle stated: would like to see us look at our buildings; we wait until they are falling down before we repair them.

Article 24 represents two new DPW employees \$94,120 for thirty-nine weeks; Article 25 reconstruction of Ice Pond Dam \$90,000. Selectman Woolsey stated: Ice Pond Dam was only supposed to fill up in the winter in order to cut for ice; no reason to have a Dam there.

Article 26 is Police Forfeiture Fund \$90,000 no tax impact; Article 27 new Park and Recreation employees \$66,060.

Selectman Woolsey MOVED to take off Article 27 SECONDED by Chairman Bean.

Selectman Waddell asked if it is already in the budget? Town Manager Welch answered: yes, it's in the budget.

VOTE: 5-0-0

Article 28 removes pine trees from Pine Grove Cemetery for \$50,000. no tax impact; Article 29 purchase Animal Patrol Officer replacement vehicle \$37,000; Article 30 Beach Fire station traffic signal control for Ashworth Avenue \$25,000; Article 31 Recreation lease purchase of Scarifier \$14,225.

Selectman Woolsey Article 30 should be in the budget. Town Manager Welch stated: can't be; it's a lease purchase; it has to be a warrant article.

Article 32 cemeterial burial trust appropriation \$10,500, estimate of the cost; Article 33 conservation land acquisition fund \$10,000; Article 34 anticipating the petition for the Christmas parade \$3,000; Article 35 establish a Town forest; Article 36 amend the noise ordinance; Article 37 pay cemetery lot funds directly to the Trustees of the Trust fund; Article 38 abolish Heritage Commission; Article 39 amend taxi insurance requirements.

Article 40 communities center fund.

Selectman Woolsey MOVED to pull Article 40 SECONDED by Chairman Bean.

Selectman Bridle asked if it already have the Recreation fund; is there a reason why we couldn't use some of that money? Selectman Woolsey stated: do you know how much it will cost to build and staff a Recreation Center. Selectman Bridle stated: can we have some planning to come out of that fund. Town Manger Welch stated: it could but it'd be small. Selectman Bridle stated: have to start looking at it; seniors need something. Town Manager Welch stated: reason we put it in here; to begin the discussion on what to do.

Chairman Bean stated: we have a motion; can we table that until Mr. Griffin comes back to the table. Town Manager Welch stated:

Article 41 if for the withdrawal from the solid waste district; Article 42 prepare GASB 34 and 35 accounting programs which we've already taken care of; Article 43 additional street paving and a construction article.

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Town Manager Welch restated that the motion was to delete the Warrant Article 40 the Recreation Center fund.

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

Chairman Bean stated: it will remain on the warrant. Selectman Bridle stated that's for right now; it can change. Selectman Woolsey asked: what did we do with the traffic control for the Fire Department; why are we sticking that in the budget; I made a motion.

Selectman Woolsey MOVED to pull the \$25,000 traffic control and put it in the Fire budget Article 30 NO SECOND.

Selectman Bridle responded that he would like to wait and talk to the Fire Chief.

Chairman Bean stated: that motion fails; have commentary on a more strategic level. Chairman Bean asked if they are comments on the warrant articles.

Selectman Woolsey stated: want to see only annual warrant only items that have to be voted on by the public; elect and trust us to use our judgment; assume we have more insight on the needs of the town; hope we can keep the warrant down to something more manageable.

Selectman Griffin stated: decide my own assumptions and not what hers are.

Selectmen Bridle and Waddell are all set for comments at this time.

Chairman Bean stated: expenses of running a municipal platforms are increasing; when look and do detailed research we have long-term liabilities from 2012; warrant article numbers we just talked about that tax figure for gross expenditures total over \$8 million dollars; includes pulling the personnel; talking about an additional \$8 million dollars; opposed to a number that is a small fraction of that; looking at the audit from 2013 we don't comply with GASB; making that effort now; the long-term liabilities in 2012 were \$17 million; in 2013 jumped to \$27.4 million; have an unfunded compensated leave balance that is seven figures large; retirement contributions have risen 30% since 2011; it gets uglier and uglier as you look at the actual numbers; Ed Tinker put out this week and copied the Board a revenue expenditures; the Nextera settlement has cost this town dearly; for 2012, 2013, and 2014 the revenue increase for the Town of Hampton in new construction permits; in 2012 the town lost \$248.96; in 2013 lost \$284,149.69; including Nextera this settlement year lost \$143,854; town is moving backwards in revenue in terms of the last three years totaling \$676,000; dramatic increases in our statutory obligations; driven by the NH Retirement System; health insurance is as well; warrant articles put forward here not including new employees totaling over \$8 million dollars; concerned about it; looked at the Public Works proposals; the Exeter Road project the price of that road is \$2 million dollars; engineering study is substantially higher than the actual road; GASB is going to come on board and it's not going to look good.

Selectman Woolsey stated: mentioned GASB; sat on Budget Committee for years and pleaded to comply with the auditors; people aren't planning and looking into the future; shovel it off to the boards in the future; lucky to be able to settle the Nextera settlement; legislature of the State of NH put that pollution control legislation without any restrictions or close date; got burned by that once again; a lot of the stuff is out of our control; excellent article on the capital improvement plan; need to plan; shortchanging on personnel can come back and bite you. Selectman Griffin stated: feel very similar to what you said Chairman Bean.

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Selectman Bridle stated: think \$5 million is a lot; if we had done it years ago when we needed it would have cost less; have to start planning and doing something with our roads; more than just patching them every year; don't start planning and taking care of our infrastructure.

Town Manager Welch stated: had a provision that they would cover 20% of maintenance cost and reconstruction cost; legislation amended the statute and took that away. Selectman Bridle stated: if we don't spend the money on it we'll be driving on dirt roads. Selectman Woolsey stated: drainage on that road is a problem. Selectman Waddell stated: agree with the Chairman and Rusty; need to be careful how we spend the money; some money needs to be spent; need to justify what we are spending and how we are spending it; when benefits become 60% of hiring somebody then it becomes difficult to add position you need to add; corrective measures need to be taken.

Selectman Griffin excused himself from the meeting.

2. Policy Procedure for requests for increase in funding by Human Service Agencies (1:43:58)

Town Manager Welch commented: the Board made a decision as compared to prior policy that if a request came in for increases or for new placement on the list it had to submit a petition warrant article; the Board changed that so we will put them on but will show the difference; we haven't been sending these back to the applicants that they've been increasing their costs.

Selectman Woolsey stated: that should have stayed in the budget as well but they off loaded these items in the past 10 years; existing human services agencies that want a different figure posted for them in the warrant article should submit it; pass it on to the budget committee; for any new agency petitioning they should create a special money article for the public to look at; you're going to have social service agencies and you're saving from those agencies; Welfare expenditures have remained stable; Welfare Officer is a genius at farming out different individuals to other public service agencies in the loop so they get the service they need by spreading out the assistance

Selectman Bridle asked: once a new warrant article is put in and it passes, we can insert them on the list? Town Manager Welch stated: that's what we have been doing in the past.

Selectman Woolsey MOVED existing human service agencies that want a different figure posted for them in the warrant article submit it and any new agency should create a special money warrant article for the public to look at SECONDED Selectman Bridle.

VOTE: 4-0-0

VI. Old Business

Selectman Woolsey asked: The Greenlands, do you have any enlightenment on that situation Fred? Town Manager Welch answered: no, there's only one way to solve that problem at that property in the road and to make it a public highway, but to do that you'll have to pay damages.

Selectman Woolsey asked: can we send a letter to the individuals so people who say they have a private road, tell them then no more town services; we can't have the public threatened; people should have freedom to walk where they want; private area should be

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posted legally. Town Manager Welch stated: it will pose some problems with the snow plowing and leaving a huge pile of snow in the road; can post the road; by doing that you can't provide services to that portion of the road.

Selectman Bridle asked if we can we put the neighbors on alert that there's been an issue? Town Manager Welch answered: we can do that; tell them we have had a complaint; tell them if we take action, this is the plan; rather not do that.

Selectman Waddell stated: make it positive; should not make a threat that we are not going to follow through on; write a letter saying you're receiving public services; we expect you to allow people to come through; better way to put it initially. Chairman Bean stated: there is a consensus to send a letter to those people.

Selectman Woolsey stated: we need to get serious about the Capital Improvement Plan, you've got to plan and then try to stick to the plan.

Selectman Bridle asked: how are your negotiations going with the Fire Department? Chairman Bean stated: extenuating circumstances recently, Wanda's passing; issues this past week; have been nominated to serve on that; instructed Mr. Gearreald to get in touch with Mr. Upton; there will be some delay; we look forward to clearing a couple of hurdles.

Selectman Waddell commented: attended the New Hampshire Municipal Association Legislative Policy last week; brought up the concerns and all of those went through; a lot of the different towns take a vote on each one and discuss; there's a lot of controversy about the New Hampshire Municipal Association but they can push for us; worthwhile going and should continue.

Chairman Bean stated that he would like Senator Styles and Representative Cushing and Representative Muns to come in next week; settlement agreement is on the legislative agenda; has impacted us in a harsh way; look to draft legislation so we can remove that burden; a substantial amount of money; consensus on what they have to say; however this thing transpires, we'll bring them on next week.

VII. Closing Comments

Town Manager Welch stated that we have a final signed plan for JOP for the State; have communicated to a representative up there that we should start negotiations next years now.

VIII. Adjournment

Selectman Bridle MOVED to ADJOURN the Public Meeting at 08:50PM SECONDED by Selectman Woolsey.

VOTE: 4-0-0

Chairman