

Note: Draft minutes are subject to corrections, additions and deletions.

September 14, 2015

PRESENT: Rick Griffin, Chairman
Rusty Bridle, Vice-Chairman
Mary-Louise Woolsey, Selectman
Phil Bean, Selectman
Jim Waddell, Selectman
Jamie Sullivan, Assistant Town Manager
Mark Gearreald, Town Attorney

SALUTE TO THE FLAG

I. RSA 41:14-a Second Public Hearing for acquisition of Land at Harris Avenue and Fellows Avenue

Attorney Gearreald: this is a triangle of privately owned land to be conveyed to the Town to square up intersection; we have received deed, but need to go through the process to accept it; Board would vote in two weeks from now, to vote on the actual acceptance of the land.

Selectman Woolsey: do you have a copy of Mr. Moody's statement relative to this? Attorney Gearreald: I do not in front of me.

Selectman Woolsey: read Mr. Moody's statement concerning the layout of the road and questioned why the Board is hearing this under RSA 41:14-a. Selectman Woolsey asked Atty. Gearreald whose decision was it to go under RSA 41:14-a? Attorney Gearreald: neither tonight nor in 2 weeks is the Board going to be voting to do the layout step; that is a totally separate step that would require noticing, which would be done, but at this point, we do not have the land for that process until the Board accepts the land.

Chairman Griffin: I thought you were reading Mr. Moody's comments. Selectman Woolsey: I am reading his comments because what he had to say here concerns me.

Chairman Griffin: that is Mr. Moody's issue. Selectman Woolsey: he is a private citizen and has a right to give us comments. Chairman Griffin: what are your comments? Selectman Woolsey: I seriously question going under 41:14-a for this, if we approve in two weeks the request for the layout.

Attorney Gearreald: no that is not so, it is not a layout; all you are doing is to accepting the land; only after you accept it would you then proceed at a later time to make the decision about a layout at which time there will be the notices that Mr. Moody is asking for.

Selectman Woolsey: if we fail to accept the land? Attorney Gearreald: If you fail to accept, there is nothing to layout over it.

Chairman Griffin closed public comment at 7:06 PM.

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II. Public Comment Period

Janet McLane 16 Diane Lane: I value all the wonderful work done at beach area; why was there not a small piece of sidewalk placed from Ashworth Avenue near the fire station going along Brown Avenue and connecting to Island Path; only neighborhood that doesn't have safe access; think it is quite an oversight; why was that not considered? Chairman Griffin: money was the main issue; many things were not done; you should speak with the Town Manager.

Janet McLane: I wanted it on record. Chairman Griffin: you should put it in writing. Janet McLane: the street is very dark and concerned about people's safety. Chairman Griffin: there was a certain amount of money budgeted, and that has been spent.

Ernest McKinley, 25 Battcock Avenue: concerned about someone being hit by an automobile, as there is nowhere to walk; move fences back and put in a sidewalk.

III. Announcements and Community Calendar (12:45)

Selectman Bridle: congratulations to everyone having anything to do with the Seafood Festival, everything went well.

Selectman Woolsey: I attended the 911 presentation on Friday, quite an impressive event; construction on High Street begins Wednesday.

Selectman Bean: Post 35 leaders did a fabulous job on the dedication. Commander Ziegler is an extraordinary impressive individual.

Chairman Griffin: I was away for weekend and where I was, also had a ceremony and many people came out for the 911 presentation at 8:00AM. I sorry I missed it the Hampton ceremony and the Seafood Festival.

IV. Consent Agenda (17:39)

1. Use of Municipal Parking Lots for Loco Sports "Smuttnose Rockfest": Ashworth Avenue, Island Path and Church Street 10/04/2015

Selectman Bridle MOTIONED to move the Consent Agenda SECONDED by Selectman Waddell.

VOTE: 4-0-1(Woolsey)

V. Approval Minutes (18:12)

1. August 24, 2015

Page 8: 1st paragraph under VI. Old Business, first line add the following "c. (1) Conservation Commission Employee. (Addressing Mr. Diener)"

Selectman Woolsey MOTIONED to Approve the Minutes of August 24, 2015 as amended SECONDED by Selectman Waddell.

VOTE: 5-0-0

2. August 31, 2015

Selectman Woolsey MOTIONED to Approve the Minutes of August 31, 2015 SECONDED by Selectman Waddell.

VOTE: 5-0-0

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3. September 2, 2015

Selectman Woolsey MOTIONED to Approve the Minutes of September 2, 2015 SECONDED by Selectman Waddell.

VOTE: 5-0-0

VI. Appointments (19:30)

1. Helen & Richard Stanton
 - a. Diane Lane Parking Changes

Ms. Stanton: problem with parking; never received notifications for meetings; do not know when they are putting signs up.

Assistant Town Manager Sullivan: the Board voted for signs in July, but they have not been put up yet; signs have been ordered, on the DPW agenda; changed to no parking on the North side.

Chairman Griffin: so effectively, what this does is that there is no parking on one side.

Ms. Stanton: is there any way it can be re-evaluated? Chairman Griffin: I am under the impression that we will take into consideration to see how it worked.

Assistant Town Manager Sullivan: it could be changed in the future; intention was to see if this worked.

Ms. Stanton: we were not notified? Assistant Town Manager Sullivan: we did our best to notify everybody, there were a number of public notices in papers, on Channel 22 numerous times; manager tried to send out letters advising folks. Ms. Stanton: we surveyed our street and none of us were notified; we certainly would have attended; could they put residents only and mark the top of the street residents only. Chairman Griffin: this Board has already discussed these issues and there are not going to be any resident only sections; I do not see it changing for this year. Ms. Stanton: even if they went and re-evaluated; and see the condition of the street? Chairman Griffin: will probably next year look at it; I do not see any resident only spaces coming in the future.

Ms. Stanton: even if they only put no parking signs at the end of the street? Assistant Town Manager Sullivan: what is your concern; is it in losing the parking in that area? Ms. Stanton: yes, and the people who work in the area being loud, and when will the signs go up?

Assistant Town Manager Sullivan: Dig Safe will show up first; the whole reason is safety aspects; tries to limit the amount of signs; will be in right-of-way; we do our best to accommodate.

Ms. Stanton: understand some of the streets are narrow. Assistant Town Manager Sullivan: yes, it will be inconvenient to some folks, but safety is our main concern.

Chairman Griffin: the consensus of the meeting was strictly for safety issues; we appreciate your comments and next year you will be able to join us when these issues are brought up again.

Selectman Bridle: I went down and looked at it; the marks on the road are from Dig Safe, they identifying gas, water locations, and not where the signs would go.

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Ms. Stanton: I would have to remove my fence in order to get additional parking.

Selectman Bridle: resident parking means any resident of Hampton could park there and your road is a public street, to limit it to just the people in the neighborhood would be unfair and hard to enforce.

Chairman Griffin: the parking is there for everyone to use.

Selectman Bean: thanks for coming in; it is a busy little resort town.

Chairman Griffin: can't guarantee a letter will be sent out, so the best way to know what is going on is to check out the website; it is always good to know what is happening.

VII. Old Business (36:35)

1. Recommendations for Renewal of Comcast Cable Agreement

Selectman Waddell: I would like to discuss this and the next one together.

Assistant Town Manager Sullivan: you received memo from the manager regarding 3 comments and suggestions; he is soliciting further information from the Board; are there other items besides these three to address.

Chairman Griffin: actually it is 2 separate things; one asking for a release of franchise fund for the school.

Selectman Waddell: Let us just talk about the Cable Renewal then.

Assistant Town Manager Sullivan: are there any additional things you would like for us to consider.

Chairman Griffin: the last time there was a Comcast Cable agreement, the negotiation lasted 6 years; we need to discuss if any of us have issues to go into the new agreement.

Selectman Waddell: I think maybe the franchise fee that is paid, the budget getting tighter and tighter and is there enough money to run the school section, town section; they film all the different committees, maybe ask for a larger franchise fee.

Assistant Town Manager Sullivan: so there are 2 issues; the franchise fees that we currently get and how it is distributed in the town; 25% goes into cable fund and 75% goes into the general fund.

Selectman Waddell: is there any way we can raise the franchise fee.

Chairman Griffin: Mr. Welch is an expert on this.

Selectman Bridle: I think as we move forward, we now have the school access channel; to do this for Winnacunnet is different as they are a cooperative school and it would have to be done by all the towns in the cooperative.

Selectman Woolsey: I appreciate Fred's suggestions; the goal of this is for 2017; reading through contract is a daunting experience.

Selectman Woolsey: concerned we are falling behind on some issues; looked at newspaper Monday morning and was blindsided by article that a police officer was suspended and I did not know about this before it was in the paper. Assistant Town Manager Sullivan: regarding

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personnel matters, we do not discuss them; but notifying the Board has been noted and we will take steps to see that in the future this will not happen.

Selectman Woolsey: Dalton Road situation, drainage issues, private road; Board beach waste, thinks we are foolish to allow Board to dispose of trash through the town; follow up on joint operation plan; think they should dispose of their own waste; Public Works provides service for leaf collection and should be started before November; letter to Planning Board on new developments; ID tags and fingerprinting. Assistant Town Manager Sullivan: we will not be doing fingerprinting.

Selectman Woolsey: ID tags works well; Riverview Terrace letter from Mr. Lipe appalling conditions on the road; rolling stock.

Chairman Griffin: Mr. Welch is not here tonight to respond to your issues; please move on and bring them up when Mr. Welch is here.

Selectman Bean: Mr. Griffin that is a future event not old business

Selectman Woolsey: we are not doing anything; we are running out of here at 8:30PM; we are going to change Mr. Welch's schedule because we are in control if we decide to do that as a Board. Chairman Griffin: do you want to make a motion?

Selectman Woolsey: no I will wait for Mr. Welch to be here; I am running it by you because we are letting many things go through the crack. Chairman Griffin: that is your opinion; do you have any other opinions? Selectman Woolsey: yes, I do. Public Works put together a color-coded inventory of rolling stock, which was very good; our total investment in inventory in Public Works amounts to \$5,113,540 combine with the 2015 operating budget is \$5,238,317; so our investment in Public Works is \$10,351,857 in this calendar year, and I strongly suggest we have a lot work ahead of us when working on the Public Works budget; and I have provided Fred with snow insurance.

Selectman Waddell: is this old business or new business?

Chairman Griffin: Mrs. Woolsey there has to be people here to respond to you, for the comments you are making. Selectman Woolsey: I am just giving you some ideas; I know ideas are not your thing. Chairman Griffin: there is no one here that can respond. Selectman Woolsey: there are four other individuals here elected by the public to get the job done. Chairman Griffin: and everybody is working on it.

Selectman Woolsey: I have provided Fred with information on snow insurance. Chairman Griffin: we are not going to discuss snow insurance tonight; you need to bring it up later.

Selectman Woolsey: I want you to think about it; I have given Mr. Welch the information and I am suggesting to you that it is something we might include in our budgets; had a letter from a gentlemen on the hazardous waste about refunding.

Chairman Griffin: MR. Sullivan do you have a response to that? Assistant Town Manager Sullivan: that is not something I am familiar with that.

Selectman Woolsey: we will need to follow up with Fred. Chairman Griffin: Fred is not here tonight.

Selectman Woolsey: I know that; Board of Selectmen appointed committee; we have yet to bring in the Chair's of the Boards. Assistant Town Manager Sullivan: we have brought many

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of those chair people in to a meeting previously, but will have that completed, met with a number of the folks. Selectman Woolsey: it certainly should be done every year; asked for an updated phone list and personnel list; I will follow up on the ramp at Plaice Cove; concrete sidewalk on Towle Avenue is a total disgrace.

Selectman Bean: Point of order, this is not old business.

Selectman Bean: Tomorrow night I will attend a meeting from the committee that she quit; she wants to dictate how the Board should act, but she does not make motions; common courtesy in the absence of the Town Manager would be to forgo her 19 incredibly disjointed list; she sued this Board, she sued every individual on this Board; she said that she disrespects this Board; she forgets she is a selectman that she doesn't serve on the Planning Board or on the Budget Committee she quit that; I find her behavior tonight totally unprofessional, totally disrespectful to the people in this Town and to the leadership of this Town; we have department heads that are new and experienced and have performed magnificently; if you listen to Selectman Woolsey you would swear a tsunami was about to hit; things are going very well, they are not perfect, but they are really, really good.

Chairman Griffin: Mr. Welch is not here tonight so he is the one that needs to respond to your list.

Selectman Waddell: it was stated that we are not doing our work; I have been driving up to Concord every week for the last 3 weeks to attend meetings, to get more money out of the State for the town; our local representatives and our State senator has been working diligently to get more money for Hampton; and even Mr. Bridle even road up for a non-meeting; the other thing I found interesting that we are dictating to the Budget Committee and one other committee that Mrs. Woolsey mentioned, but Mrs. Woolsey wants to tell the Planning Board what to do.

Chairman Griffin: those issues belong at the Planning Board; the last 12 years I have worked diligently; when I travel I see how other towns work, but, when I come home to Hampton I think, this is like Beverly Hills compared to everywhere else I have been, everything here is so clean and so nice; good police and good firefighters; I think everyone here on this Board works very hard; and I don't like feeling slighted by your comments.

VIII. New Business (1:03:05)

1. Hampton School District (SAU 90) Request for release of Cables Franchise Funds \$36,523.

Assistant Town Manager Sullivan: this is a request from the Superintendent regarding franchise fees, last year you dealt with a similar issue which resulted in the agreement you signed with SAU90; a couple of points brought up for your attention is that the numbers are accurate and I confirmed them today; now that the schools are tapping into those funds they are dropping; does the Board want to make any consideration in adjustments to the percentage of those fees 25% go into the cable fund and 75% goes into the general fund.

Chairman Griffin: Fred has a lot on this issue.

Selectman Waddell: how the town deals with this money; it is the town's decision to have 25% go into the cable fund and 75% into the general fund; do you want cable TV to cover all the Boards, to cover the beach district, do you want them to do the extras; if that is the case, we are not going to have enough money to do that.

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Chairman Griffin: that is what I am saying; it needs to be brought up when Fred is here.
Selectman Waddell: but it is not an issue for the Cable Company it is an issue for the Town, because the Town has decided the 25/75.

Assistant Town Manager Sullivan: you have 2 issues; one being do you want to address this issue with the Schools with regard to this amount of money tonight, as you did last year; or do you want to table it.

Selectman Waddell: and we need the budget of the Cable Committee and their anticipated needs. Chairman Griffin: Fred has a formula of how the money needs to be broken up and that is why I think it would be wise to wait.

Selectman Woolsey: I think we perhaps have not asked the school district to notify us in advance, on what they need to purchase; we may need to try to pre-approve. Chairman Griffin: If we were going to vote on this, they should be here.

Assistant Town Manager Sullivan: Fred put this on the agenda for you to consider; it is appropriate for us to table.

Selectman Bean: Mr. Waddell is spot on this, I am interested in the product and what the revenue is; interested in hearing what the school needs and what the product will be, we need to know what we are giving to the Schools.

Chairman Griffin: tell us what they have and what they spent; and that is what we need to know.

Selectman Bridle: if you do not take the money that is allocated for certain things, and actually spend it on that, then you are going to run into these problems. Chairman Griffin: this money has not been allocated for this though. Selectman Bridle: it comes in.

Chairman Griffin: it comes in and Fred will have a whole background of what happens and what is supposed to happen. Selectman Bridle: that comes not to reduce taxes, but to maintain the cable system we have. Chairman Griffin: Fred will have a lot to offer and we need to hear.

Selectman Waddell MOTIONED to table this discussion until Town Manager Welch returns
SECONDED by Selectman Bridle.

VOTE: 5-0-0

Selectman Bridle: we have a letter in our packet today from Dr. Kaminsky requesting parking for the clinic.

Selectman Bridle MOTIONED to reissue the parking permit for the medical van for the free clinic
SECONDED by Selectman Woolsey.

VOTE: 5-0-0

IX. Closing Comments (1:11:35)

Selectman Bridle: thanked Public Works on the work they did on Towle Farm Road today; a lot smoother and appreciate all the work they have done.

Selectman Woolsey: we are not putting items on the agenda that we need to address. Chairman Griffin: have you asked to put them on the agenda? Selectman Woolsey: no

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Chairman Griffin: if you have not asked me, or Mr. Welch, then do not expect them to be there if you do not ask; just like Mrs. Stanton here tonight, she asked and was placed on the agenda.

Selectman Woolsey: you are leading the Board.

Chairman Griffin: you need to talk with Mr. Welch, Mr. Sullivan or Kristina they will get back to me and I will ok it, that is the way it has always been done; if you want something done all you need to do is ask, but you don't.

At approximately 8:15 PM, a MOTION was made by Selectman Waddell to go into a non-public session under RSA 91-A:3,II,(a) for a personnel issue, after closing comments SECONDED by Selectman Woolsey a roll call vote was taken with all in favor.

Mrs. McLane asked if she could speak again, and was explained that the meeting is over.

X. Adjournment

Selectman Bean MOTIONED to adjourn this meeting at 20:15PM SECONDED by Selectman Bridle.

VOTE: 5-0-0

Chairman