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

March 14, 2016

PRESENT: Rusty Bridle, Chairman
Jim Waddell, Vice-Chairman
Rick Griffin, Selectman
Phil Bean, Selectman
Regina Barnes, Selectman
Frederick Welch, Town Manager
Jamie Sullivan, Assistant Town Manager

SALUTE TO THE FLAG

I. Oath of Office – Swearing in of Elected Officials

1. Town of Hampton Elected Officials

Chairman Griffin opened the meeting, and Selectmen Bridle swore in Jane Cypher as the Hampton Town Clerk.

Hampton Town Clerk Jane Cypher swore in the following individuals as Elected Officials of the Town of Hampton.

With the statutory oath, Regina Barnes was sworn in as a Selectman of the Town.

With the statutory oath, Robert Casassa was sworn in as the Town Moderator

With the statutory oath, William A. Hartley was sworn in as a Trustee of the Trust Funds.

With the statutory oath, Chris Hendry was sworn in as a Trustee of the Lane Memorial Library.

With the statutory oath, Francis McMahon was sworn in as a member of the Planning Board.

With the statutory oath, Susan Erwin was sworn in as a Cemetery Trustee

With the statutory oath, Mark Olson was sworn in as a member of the Planning Board.

With the statutory oath, Brian Lapham, Danielle Augustin, and Steven Henderson were sworn in as members of the Budget Committee.

2. Hampton School District Elected Officials

Hampton School District Clerk Jane Cypher swore in the following individuals as Elected Officials of the Hampton School District.

With the statutory oath, Ginny Bridle-Russell was sworn in as a member of the Hampton School District Board.

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II. Reorganization of the Board of Selectmen

1. Election of Chairman & Vice Chairman

Chairman

MOTIONED by Selectman Waddell to nominate Selectman Bridle as Chairman SECONDED by Selectman Griffin

VOTE: 4-0-1 (Bridle)

Vice Chairman

MOTIONED by Selectman Griffin to nominate Selectman Waddell as Vice Chairman SECONDED by Selectman Bean

VOTE: 4-0-1(Waddell)

Appointment of the representative and the alternate to the Budget Committee

Selectmen's Representative

MOTIONED by Selectman Griffin to nominate Selectman Regina Barnes as the Selectmen's representative SECONDED by Selectman Bean

VOTE: 4-0-1(Barnes)

Alternate Representative

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

VOTE: 4-0-1(Bridle)

1. Appointment of Selectmen's Representative and Alternate to the Planning Board

Selectmen's Representative

MOTIONED by Selectman Bridle to nominate Selectman Waddell as the Selectmen's Representative SECONDED by Selectman Bean

VOTE: 4-0-1 (Waddell)

Alternate Representative

MOTIONED by Selectman Waddell to nominate Selectman Griffin as the Selectmen's Alternate Representative SECONDED by Selectman Bridle

VOTE: 4-0-1(Griffin)

III. Public Hearings (23:00)

1. RSA 41:14-a Second Hearing for the acquisition of Stormwater Drainage and Turnaround Easements at 88 Leavitt Road
2. RSA 41:14-a Second Hearing for the acquisition of Drainage Easement at 167 North Shore Road

The Public Hearings were closed at 7:18 PM and the votes for the acquisitions will take place March 28, 2016

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IV. Public Comment Period (24:13)

Charlie Preston: Winnacunnet Boys Basketball is playing at UNH tomorrow night at 5:30. I would like the BOS to send a letter requesting that the Partners of the Casino Properties meet with the HBAC as soon as possible, regarding the updating of the beach masterplan.

Brian Lapham, 27 I Street: wants to let Selectman Barnes know that the Budget Committee is meeting tomorrow night.

V. Announcements and Community Calendar (27:00)

Selectman Bean: great election results; great turnout; congratulations to Mike Edgar.

Selectman Griffin: the owners contacted me, whose dog was rescued they wish to donate to the Fire Fighter that has health issues.

Selectman Barnes: glad to be here.

Selectman Waddell: congratulate everybody who won in the election; thank everyone who ran; thank all the voters; great election.

Chairman Bridle: good election; Town clerk, voting workers, and moderator did an excellent job; appreciate people who did get out and vote.

VI. Consent Agenda (29:40)

1. Raffle Permit: Professional Firefighters of Hampton 03/28/16
2. One Day Entertainment License: Wedding Band 433 Exeter Road 09-17-16

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

VOTE: 5-0-0

VII. Appointments (30:00)

1. Ed Tinker, Chief Assessor
    a. 2015 Abatement Recommendations: Approved: 2015-02 Tuholski 231 Mill Rd $296.98; 2015-03 Simone 7 Katie Ln $113.04; 2015-04 Plouffe 157 Little River Rd $867.95; 2015-05 Radwan Vacant/ Meadow Pond Rd $111.13; 2015-06 4 Page Ln Dev. 8 Page Ln $5,144.52; 2015-07 Piatti 64 North Shore Rd $57.48; 2015-08 Gabrielli 297 Winnacunnet Rd $231.99; 2015-10 Bennett 571 Winnacunnet Rd, Unit #1 $24.91; 2015-11 Kelly 133 Little River Rd $270.16; 2015-13 Benjamin Fam Trust 1001 Ocean Blvd $247.16
    b. 2015 Abatement Recommendations Denied: 2015-0; Burkly 8 Willow Ln $0.00

Mr. Tinker: the total amount of refund for 10 that were recommended for approval was $8,365.32; one is recommended for denial and the other did not require a refund.

Selectman Waddell: is that a normal amount? Mr. Tinker: it is half of last year's total

Selectman Bean MOTIONED to Accept Assessor's recommendation for the 2015 Abatements SECONDED by Selectman Waddell.

VOTE: 5-0-0

c. 2016 Sewer Abatement Rate Approval

Mr. Tinker: the rate is $57.00 per thousand of assessed value; the total refund that is being presented tonight is $97,511

Selectman Waddell MOTIONED to approve Assessor's recommendation for the 2016 Sewer Abatement Rate SECONDED by Selectman Griffin.

VOTE: 5-0-0

2. Chris Jacobs, Director DPW & Jennifer Hale, Deputy Director DPW (33:27)

a. Church Street Sewer Force Main Update

Ms. Hale: spent morning taking out back fence; posted no parking signs and closed the gate; met with site contractor and staked the entire path that the mats will be laid; will be starting tomorrow morning; hoping for a 2-3 day set up. Due to the daylight hours and the tides we are hoping for a motion to work through the weekend; everything is still on schedule.

Selectman Griffin: what do you wear when you go out there? Ms. Hale: boots; once the mats are laid will be a better path; remind everyone that this is going to be an active construction site; will wear hardhats

Selectman Griffin: would it have been easier if the marsh were frozen? Ms. Hale: there would have been pros and cons

Selectman Griffin: what do we have to do about working over the weekend? Ms. Hale: Town code says that we can work Monday-Sunday but hours are restricted; hours on Saturday are 9AM-5PM; we would like to work 7AM-5PM.

Selectman Griffin: what do you suggest Fred? Town Manager Welch: I would suggest that you vote to authorize them to work from 7AM-5PM on Saturday and Sunday.

Selectman Waddell: so the public will understand, the reason you want to work is to coincide with the tides. Ms. Hale: yes, it is for daylight and the tide cycle

Selectman Waddell: will it increase our cost? Ms. Hale: no

Chairman Bridle: people should not be out there walking while you are working, they should not be out there at all. Ms. Hale: we ask people who are not part of the construction crew or the engineers not to be walking around the trenches.

Director Jacobs: we have had some people inquire; all we ask is they coordinate with us.

Town Manager Welch: I have instructed people to have people available down there for protection and if someone ventures onto the site, they are to call the police; it is a dangerous situation.

Selectman Waddell: there is nothing new to report, everything is still status? Ms. Hale: yes

Selectman Waddell: the one pipe is still operating properly? Ms. Hale: yes

Selectman Griffin MOTIONED to approve the request to allow work to continue thru the weekend during the hours of 7:00 AM to 5:00 PM SECONDED by Selectman Waddell.

VOTE: 5-0-0

b. Expenditure of Funding for Excavation of Church Street Force Main of $50,000

Town Manager Welch: I would request that the Board vote to withdraw $50,000 from the Wastewater Sewer Development Charge fund that has currently $114,000, which would leave us with $64,000, which is more than enough to meet this year's demands and costs and there is more money coming into the fund every day.

Selectman Waddell MOTIONED to approve the request for $50,000 to be withdrawn from the Wastewater System Development Charge SECONDED by Selectman Barnes.

VOTE: 5-0-0

VIII. Approval of Minutes (42:10)

1. February 29, 2016 Public Session

Selectman Waddell MOTIONED to Approve the minutes of February 29, 2016 Public Session SECONDED by Selectman Griffin.

VOTE: 4-0-1(Barnes)

IX. Town Manager's Report (42:31)

1. Thank you to everyone for taking the time from your very busy lives to vote in our annual Town election last Tuesday.
2. Those interested in applying for Veteran's, Elderly and Blind Exemptions should come to the Assessor's Office for the necessary required forms that must be submitted not later than April 15, 2016.
3. Residents of the Hampton Beach Village District who wish to apply for the alternate tax rate and billing will need to file the necessary application available at the Assessor's Office not later than April 15th.
4. We recommend after review that the Selectmen approve and sign the Intergovernmental Agreement with the School for the Town Clock. The question of the operation of the bell should be an operational concern that the Selectmen can direct any and all operational requirements via a written policy. Until the written policy is approved, we recommend that the bell be withheld from operation.

Town Manager Welch: there was a vote on House Bill #1198 last week and the purpose of that bill was to set values for telephone poles. The results of that vote, which is not over yet as it has to go to the Senate, and not over because of depreciation applied; we are going to lose somewhere around $1,000,000 in evaluation for the Town. Which means everybody is going to have an increase in their tax bill and only one of our representatives voted against this bill. We gave you information regards to the Aquarion billing and notice requirements for changing the monthly billing; counsel has filed information with the PUC and is currently working on filing with them to appeal their pending decision. They are going to have a rate increase for this function and between 2006 and this year the water rates have increased 55.45% that is a substantial amount of money in a very short period of time. From the State Department of Fire Safety there is a moratorium on outside burning. The State Fire Marshall, the Bureau of Tramway, and the Amusement Safety Ride Regulations has imposed new regulations on the inflatable bouncy houses. There is a significant amount of confusion over the Board's direction in regards to picking up trash at new condominiums. The Planning Board is in the process of approving a condominium on Kings Highway and the planner had put a notation in the order saying they should come before the BOS to see if they can be picked up. The Planning Board

overruled that and said they would be picked up regardless; coming to you for direction to see if that is what you intended.

Selectman Griffin: which condominium is this? Town Manager Welch: an existing multi-family structure which they are converting into two condominium buildings toward Winnacunnet end of Kings Highway

Selectman Griffin: they can bring their stuff to the street; I feel it should be allowed.

Town Manager Welch: we have started receiving inquiries from other condominiums in Town that they want their trash picked up and we do not have the manpower to do it

Selectman Griffin: what condominiums are you talking about? Town Manager Welch: Esker Road made comments about they want their trash picked up.

Selectman Griffin: are they on roads like Kings Highway? Town Manager Welch: they have private roads off public highways, but we were picking them up and the Board ordered that to cease; there are several others that have condominium documents that we have not approached as of yet, that are currently being picked up by the Town, but should not be because of the condo docs. This one does not have any docs. as of yet, but the others do requiring them to have their trash picked up privately; they went down and picked up carts on their own and pulled them out to the road, so we picked them up, but the Board had us stop that because they have a condominium requirement.

Selectman Waddell: the feeling on the planning Board was since we were picking it up all along we should continue that; also people are paying the same taxes as everybody else; we need a clear policy.

Selectman Griffin: this has been policy for years that if they can pick it up on the street, they pick it up.

Town Manager Welch: take High Street for instance there is a number of condominiums on High Street and all of those have requirements for private trash collection, even though they can bring trash to the street that is in their docs. If we change that, we are going to add significant time and expense to our appropriation, and those places are all over Town, but most all of them have documents that they have to pick up themselves.

Selectman Waddell: but most of those bring their recycling out. Town Manager Welch: they are not supposed to; it is in their condominium documents.

Selectman Griffin: they have been encouraged by the BOS in other years.

Selectman Waddell: it was encouraged that people recycle rather than put the recycling in the trash; we still need to define a policy.

Selectman Griffin: Many condominiums do not have the frontage to set out many bins and they do not want them placed out there.

Town Manager Welch: If we start picking up all the condominiums in Town, we are going to need additional men and equipment.

Selectman Griffin: maybe that is what needs to happen; we need to give people what they are paying their taxes for; how many condominiums are you referring too? Town Manager Welch:

8 or 9; the selectmen need to be consulted before any decision is made or you may find yourself with a 300 unit condominium that we are picking up

Selectman Griffin: it has never really been a problem, we do not go on private property.

Town Manager Welch: it is starting to be a problem.

Selectman Griffin: why don't we put a number on it?

Selectman Waddell: an arbitrary number how do we do that; I think we need to know how many are doing it, and the strain on the manpower; we need to know some facts before we develop a policy; we should not sit here and just come up with a policy with a random number or anything new.

Selectman Bean: is this on the agenda.

Town Manager Welch: no; do I pick up the ones the Planning Board told to put out on the street or don't I, that is the question?

Selectman Bean: it is not on the agenda, we need some facts.

Chairman Bridle: we should wait until next week and place on the agenda.

Town Manager Welch: there are people living there and we are picking up trash.

Chairman Bridle: are they condominiums or still rentals.

Town Manager Welch: I do not know that.

Chairman Bridle: what do we need to do now to make sure that we are not sending a mixed message?

Town Manager Welch: my concern is that we have a number of condominiums that are in Town that are directly fronting on the street and currently take care of their own trash at a very high price; if all of a sudden we end up picking up hundreds of additional barrels then we are going to have a problem.

Selectman Griffin: I do not see that happening.

Chairman Bridle: If we say that, our policy has not changed.

Town Manager Welch: If they are currently not being picked up, they should not be picked up; that is where I want to go with this at this point; I do not want a stampede, because that will cause a lot of problems, a policy is needed.

Selectman Waddell: I recommend it is on the agenda for next week and we come up with some specifics

Selectman Bean: can we get DPW on this as well.

Selectman Griffin: there is tax revenue coming in, so if this is a ploy to hire new employees, that is what it sounds like to me?

Town Manager Welch: we do not want to do that, I want to head off a problem before it gets here. People came in and said they were a resident and wanted a cart that is how it started when the people came in off Esker Road and we ended up with 20-30 more carts to pick up; then we found out that had condominium requirements for them to take care of their own trash.

Selectman Griffin: sounds like a mistake was made in giving them the carts.

Town Manager Welch: we have instituted a system where they come in and sign up for the carts and then we investigate.

Chairman Bridle: Right now, we have a policy and until next week that policy is still in effect

Town Manager Welch: I will have DPW work up some figures.

Selectman Bean: you spoke about our legislative delegation; can you rehash that again; I would like our legislators come down and explain themselves to us on how we can be taxed excessively in favor of utilities; and then into the $400,000,000 that was lightened on the tax by Nextera.

Town Manager Welch: I will not do the $400,000,000. The house voted this past week on a roll call; Mr. Cushing being the only member of our delegation that voted against this bill. The net effect of the bill is that we are going to lose at least $1,000,000 worth of taxable value in the Town.

Selectman Bean: the Town of Hampton? Town Manager Welch: yes.

Selectman Bean: did anybody from the delegation advised or warned you? Town Manager Welch: no.

Selectman Bean: has anybody from the delegation advised or warned anybody from the Board?

Selectman Waddell: I think there are two guilty parties here and we are partially guilty. I think we have not paid enough attention to what is going on up there and it is frustrating to go up there and testify and not get any place. I think some of us should have gone up and testified on this bill, we should have talked before the committee on it; it would have been to our advantage to invite the State reps in here to go over things. We are guilty on not voicing our opinion enough and not being up there.

Selectman Bean: we are not legislators, we are selectmen, this is their bill and it is their duty to represent us and inform us. It is going to cost the Town $1,000,000.

Town Manager Welch: no, it is going to cost $1,000,000 in valuation times the tax rate; $19.00 per thousand.

Selectman Bean: I would like to hear from our legislators on why we were not warned and not asked what we think; was the tax assessor asked about this.

Town Manager Welch: no; tax assessors did represent the cities and Towns in front of the committee and asked not to vote it; the original bill was changed; dropped the cost of a telephone pole from $50 to $30 and they brought it up to $40. They are going to amortize the poles over time and it also applies to conduits in the ground; have not got to the depreciation portion of this yet, which is a problem because we do not know what they are going to do. We currently have 157 sole owned poles in Town @ $600 per pole, the new value is going to be $300, and that will be depreciated over a relatively short period.

Selectman Waddell: the $600 are we getting that now or is it in a court case.

Town Manager Welch: that is what the valuation is, everything is in a court case.

Selectman Waddell: we are losing value, but not money because we are not getting the money right now actually.

Town Manager Welch: they have settled some cases, and not others.

Selectman Bean: we are looking at Nextera and we just had a warrant that specifically addressed assessing utility; there is a State law that dictates that; we take the State's value on that.

Town Manager Welch: No, we do not; we actually value the property, but it is at a decreased rate. Each utility is required annually to fill out a report, which goes to each city and Town for their property located in the Town, and they have the privilege of assigning what the value of that is. If we differ with that value we have to hire an expert to prove the difference; if not we have to accept their value or be subject to court action.

Selectman Bean: we have done that, correct

Town Manager Welch: we have started that process to value all these properties.

Selectman Bean: we cannot stand this representation where we lose $200,000 a year; we are trying to run a Town; big business interest are working the legislative process in congress without warning the public, without warning the representatives from small local government, that is our representatives job to do that, which is why we elect them. Mr. Cushing is doing that and I am confident Mr. Edgar will do the same thing. We get people pay raises and keep the tax rate low. We need to get reports or some system where legislation is coming down that affects Hampton goes not only to the BOS, but also to department heads; that we are warned; otherwise, we do not need these legislators up there. They serve us no value and cost us money; the Hampton interest is being ignored by this delegation; they are hoarding the information and it is costing us hundreds of thousands of dollars.

Town Manager Welch: we belong to the various associations and they do track the legislation and we have representatives to go testify on all these bills, but we were out voted

Selectman Waddell: NHMA does send us bulletins prior to things coming up; the house journal calendar is on line, we can look at it and know what hearings coming up are and we should be attending more. I do not think our delegation is ignoring us; Senator Stiles does more for Hampton than any other senator does for their district; she is constantly contacting people saying this hearing is coming up; are you sending someone up; are you getting up here; she is constantly discussing what is going on in the Town; what the Town needs. I am going to disagree 100% with you Phil, we have to go up there and work the system, because there are 400 legislative representatives.

Selectman Griffin: the Department Heads, Town lawyer and Town Manager have gone up there; we need to have representation

Town Manager Welch: and we do send them; if anyone of you calls a particular committee with someone on that committee, whether they are your representative or your senator or not and voice concern about a bill that is not passed. They want to hear from the Selectman, they do not want to hear us as appointed officials; they want to hear from elected officials.

Selectman Bean: I have been at hearings where you testify and it is a rigged game

Selectman Griffin: would you repeat what you said about Aquarion

Town Manager Welch: they are currently filing to change their billing cycles and that is going to represent a $23,000 rate increase; we do not know what the increase means at this point, but some of the documents I read today that were sent to us through Town counsel indicate it may be an annual rate increase. They have already received since 2006 a 55.4% rate increase and in for another rate increase next year of slightly under 10%.

Selectman Griffin: we constantly have this issue with them and we need to continue to complain; we should get more response from the commission that regulates this

Town Manager Welch: we are not allowed to testify before them; they are a commission for the Public Utilities, not the people.

X. Old Business (1:16:56)

1. Intergovernmental Agreement with the School for the Town Clock

Chairman Bridle: I spoke with the committee and they are more than happy to work with us and come up with a policy on the bell; they said once people start to hear it they will see it is so much different from before.

Selectman Waddell: when is the written policy coming?

Town Manager Welch: that is something we will have to get together with the committee to do on your behalf, so that we can get something accomplished

Selectman Griffin MOTIONED to accept the Intergovernmental Agreement with the School for the Town Clock SECONDED by Selectman Waddell.

VOTE: 5-0-0

Selectman Griffin: the Historical Society got an award/recognition from DAR, the ranger group from Portsmouth; there were two kids from Hampton that were very impressive; they presented something they wrote; it was a wonderful things; Candy Stellmach accepted the award.

XI. New Business (1:19:11)

1. Election Results Discussion

Chairman Griffin: the $2,000,000 Wastewater Treatment article that failed; I think it was a mistake to place the four articles together. The wash-down has been voted down repeatedly and I think we are only asking for trouble including things like that; I think it is a major mistake and it is something we should learn from.

Selectman Barnes: I agree with Rick on that, I was disappointed to see that did not pass; I think if it had been broken down, it would have been easier for people to see what is going on. I think people just saw $2,000,000; now look what we are dealing with right now.

Selectman Bean: we came into compliance with GASBY this year, which shows we have a $2,000,000 depreciation expense; the reason to do this is to gauge the numeric value of something. That something is the depreciation of your infrastructure, and if we are depreciating according to standards; the expense of our government is actually 10% more than what we negotiate and what we vote ourselves; if we constantly neglect that issue and nobody wants to spend money and nobody wants to raise taxes. Nobody wants the beach to shut down

and we do not want pipes to burst with effluent. We should have contingencies for whatever assets are depreciating in a crisis State. I was pleased overall, with the ballot; I was proud that the great majority of the voters went with Budget Committee Elected Officials and governing body officials and neglected outside publications.

Selectman Griffin: why did the teamsters not pass; we need to look at that?

Chairman Bridle: no clue, but we will have to look into that; the voters spoke and it surprised me; I agree that we should not have put those four things into the $2,000,000 bond article; however, I disagree with you about the wash-down station, at any point in time the EPA can come down and fine us. We need to protect our infrastructure and part of that is our vehicles, if we are not washing them down properly the salt is eating them away; we need to do a better job in informing the voters.

XII. Closing Comments (1:25:42)

Selectman Bean: welcome aBoard Mr. Chairman

Selectman Griffin: welcome to Regina; going to be an exciting time

Selectman Waddell: welcome to Regina; we have a lot to do; we need to be clear and transparent in what we do.

XIII. Adjournment (1:26:15)

Selectman Bean MOTIONED to adjourn the public meeting at 08:21 PM SECONDED by Selectman Waddell.

VOTE: 5-0-0

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Chairman