

March 28, 2016

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

SALUTE TO THE FLAG

I. Public Comment Period

Charlie Preston: warning that April Fools is Friday and the State will start tagging all the parking meters at the Beach.

II. Announcements and Community Calendar (6:17)

Selectman Barnes: attended Hampton Beach Precinct meeting at which they elected officials and passed their two ballots.

Selectman Griffin: also attended the meeting and everything went smoothly

Chairman Bridle: fundraiser tonight from 5PM-9PM at the Community Oven for Kyle Jameson who is a Hampton Firefighter who is battling cancer, all donations are appreciated.

III. Consent Agenda (7:20)

1. 2016 Veteran Requalification's: Binette, Barbara VET & TOTAL \$1,900 6/9; Burnham, Ann SPOUSE \$500 54/34; Casella, Peter, Jr. VET \$500 151/1/34; Chapman, Wayne VET \$500 160/25; Clews, Fredericki VET \$500 229/7; Connors, Marguerite VET \$500 166/38; Cooper, James VET \$500 113/23; Courtemanche, Richard VET \$500 131/15; Cronin, Deborah SPOUSE & TOTAL \$500 210/6/1; Fallon, Bertha SPOUSE \$500 282/92; Gibbons, Richard VET \$500 155/1; Lishman, Richard VET \$500 207/43; Mooers, John VET \$500 180/5/14
2. 2016 New Veteran: Hallinan, Daniel VET \$500 194/13
3. 2016 New Veteran's Spouse: Fox, Janet SPOUSE \$500 160/35/203; Hunter, Doris SPOUSE \$500 170/RCL/33
4. 2016 Elderly Requalifications: Burnham, Ann ELDERLY \$150,000 54/34; Lishman, Richard ELDERLY \$178,000 207/43; Michel, Norman & Barbara ELDERLY \$150,000 179/18; Schultz, Maryanne ELDERLY \$150,000 110/232016 New Elderly: Binette, Barbara ELDERLY \$178,000 6/9; Goodrich, Elaine ELDERLY \$120,000 123/1/5; McCafferty, Barbara ELDERLY \$120,000 183/51/1; Truchon, Richard ELDERLY \$178,000 164/3

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5. Permits for Use of Town Property:
 - a. Ragnar "Reach the Beach Relay" Ashworth Parking Lot 09/17/2016
 - b. Belanger Wedding Ceremony Ruth Stimson Park 09/04/2016
6. Parade & Public Gathering Licenses:
 - a. Ragnar "Reach the Beach" 09/17/2016
 - b. Hampton Area Chamber of Commerce "Children's Festival Parade" 08/19/2016
7. Entertainment License and Posted Permit:
 - a. Sea Ketch Restaurant
 - b. Millie's Tavern on L Street
8. Acceptance of \$1500.00 Donation from LOCO Sports for Recreation & Parks Programs

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

VOTE: 5-0-0

IV. Appointments (8:40)

1. Kristi Pulliam, Finance Director
 - a. Monthly Update

Ms. Pulliam: second report of 2016 the target is 16.67%; month total income \$431,000; motor vehicles came in @ \$252,000 over target by \$4,000; other major contributors were interest on taxes at \$12,000; build permits @ \$24,000; state of NH water pollution control @ \$22,000; departmental income @ \$15,000; franchise fees @ \$61,000 and real estate trust @ \$35,000. A new column was added to revenue budget called 2016 adjusted budget, which was suggested by auditors; will adjust on a quarterly basis. Expense summary: operating department without debt service but with open POs were 15.81% of the budget, which is under the months target by .86%. Departments are running under target of 16.67%; town manager and finance department OT lines are high now as the majority of their OT is end of year and getting ready for deliberative session, preparing town report and getting ready for audit. The MIS equipment line is @ 47.45%; personnel administration-buyback program is @ 93.51%; municipal insurance is over target; police department is @ 12.12% with open POs; fire department is @ 13.27% with POs; other services 48.06%. Highways & Streets is @ 12.21% with open POs; municipal sanitation below target @ 16.19%. The 2015 encumbrances are showing 21% expended to date; the Recreation Department Beach sticker donation @ \$2,220; fund balance increased slightly; fund balance increased slightly. Cable committee fund balance slightly above \$38,522; fund 26 current balance \$118,184 slightly below; ems funds \$464,442; waste water system development charge fees collected \$1,596 with balance in account of \$115,000, but board did approve \$50,000 from account, which is not reflected.

Selectman Bean: great job

Selectman Griffin: thank you for report; you do a great job

Selectman Waddell: the increase in revenue is because of vehicles, because car sales are up.

Ms. Pulliam: yes, and building permits

Selectman Waddell: would you explain the GASB rule as it relates to the pensions; it is not going to change our finances at all, but is going to make us look that we have a larger liability; but nothing has changed. Ms. Pulliam: right, I can post this on the website where I post the monthly financials.

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Chairman Bridle: the EMS fund is that funds we actually have in there, or what we can potentially collect. Ms. Pulliam: it is what we potentially can collect is included in there.

Selectman Bean: GASB is an important consideration that does not affect revenue, but is a liability; our little Town of Hampton is run very well, Mr. Welch, his department heads and citizens of Hampton do a fantastic job.

Ms. Pulliam: you have the MS232, which is the report of appropriations; total appropriations were \$28,860,338 of that total the budget was \$26,599,431 and warrant articles totaled \$2,260,907.

Selectman Waddell: for the public, you fill that out and send to? Ms. Pulliam: DRA, which is Department of Revenue Administration

Selectman Waddell MOTIONED to sign the MS232 SECONDED by Selectman Barnes.

VOTE: 5-0-0

2. Brian McCain, Cable Committee (23:16)

a. Committee Update

Mr. McCain: last Wednesday we had a committee meeting and it was the first one televised; we discussed due to the new funding items that might help Channel 22; we would like to get a part time media coordinator at 20 hours per week and \$20 per hour to start. The duties would be day-to-day operations; department videos; research new equipment; keep a running inventory; develop maintenance schedule; slides; posting videos. We cannot do this as everybody who works here has a full time job; we have not looked into qualifications yet; we think if you want Channel 22 to get better and advance, you need someone here. We spoke about hiring a consultant to discuss the weaknesses; we spoke about replacing aging camera equipment; creating a studio for SAU 90, so they could do their own meetings. We also need a lock at the studio at the Beach Fire Station the quote is \$675.50.

Selectman Griffin: I like the idea of using a consultant to find any weaknesses, also to determine if you need a new person. I am very happy with the job that you and others do, but I am not in favor of expanding Channel 22, I like it the way it is; it is slowly getting better and evolving. If the school did have their own studio, would there be less work. Mr. McCain: yes, they would do everything and have their school board meeting over there.

Selectman Griffin: are you doing things over there to help? Mr. McCain: no; they do many meetings on their own; they should have something over there.

Selectman Griffin: how do you think the meeting went at the Fire Station the other evening? Mr. McCain: it came out okay, but I was concerned; we need some lesson on sound as the garage was like an echo chamber and with the engines going in and out.

Selectman Griffin: the other night everything went well except for the truck that returned; the carbon monoxide filled the room up, it was a problem; I think they could have left the truck outside; they also opened the wrong door with people sitting there and it scared people.

Town Manager Welch: normally, when you have a meeting you would park outside.

Selectman Griffin: If people there had COPD, they would have had a problem; I did not complain about the noise, which was major. Not everything that happened at the meeting should have, and it was only our second meeting.

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Chairman Bridle: I think the Town Manager can speak with the Fire Chief. Town Manager Welch: I am sure the Chief and I can arrange something that would take care of the problem.

Selectman Griffin: I did not see anyone complaining, everyone wants to work together.

Selectman Barnes: I was at the meeting and it was a little disruptive, but I do not think anyone was too upset about it. I think a consultant is a good idea; Channel 22 does a great job. Mr. McCain: I have someone in mind; I will give him a call and see what he can do.

Selectman Waddell: you do a great job; I disagree with Rick, the cable TV has a great potential to grow and service the Town; Cable Committee does a great job discussing and presenting; what do the people in Town want; the school wants to expand what they are doing. There is a lot to look into; we need to decide what is going to happen with the School Channel 13; we have a good start on it, and need to look into their salaries.

Mr. McCain: I will look into the cost of a consultant and get back to you. I get complaints about the picture and I'll see about doing some tweaking with the sound.

Chairman Bridle: all of you have done a great job; you care about this place and the program that you started; I agree it would be wise to get someone in here with fresh eyes; if we need to hire someone part time program then that is what to do. We could have police educational stuff, fire, recreation department, public works, the building department, on what people expect for the assessing and tax collecting, there are so many things that we could do.

Selectman Griffin: I disagree with Jim. And I do say what a good job you do. Channel 22 has changed greatly over the years and I would like to look at what everyone is paid and how it has evolved from mainly volunteer at the beginning. I am not sure people like the idea of having two separate people running it; I do not like to see someone not being paid well enough and am not hearing from the public that they are looking for expansion of what happens on Channel 22, I strongly disagree expansion.

Selectman Waddell: I strongly disagree.

Selectman Waddell MOTIONED to buy a lock SECONDED by Selectman Griffin.

VOTE: 5-0-0

V. Town Manager's Report (44:25)

1. It is that time of the year when you need to obtain a license for your favorite 4-legged friends. Dog licenses are available at the Town Clerk's Office. Renew now and save on late fees.
2. Time is running out for you to obtain your exemptions from taxes for veteran's exemptions, elderly exemptions and blind exemption as well as your Hampton Beach Village District tax exemption. Deadline is April 15th.
3. The Beach force main has been repaired and is back in service.
4. Updates to the Town Code have been prepared and are in the hands of our Code publishers to prepare and print updates to our Code Books.
5. Materials for binding and permanent preservation are about to be shipped to our binding agent.
6. The Planning Department has completed the update to the Zoning Ordinance and copies are available from them for purchase.

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7. We received a request from SAU 21 that the Selectmen make available one of our outdoor illuminated signs for a message dealing with a film they are going to show at Winnacunnet on March 30, 2016 from 7-9PM entitled "Most Likely to Succeed".
8. We received a letter from Aquarion Water today that they will be doing main repairs and replacements this year and the first one is at Lafayette Road from the intersection of Winnacunnet to Drakeside Road. They would like to abandon the fire hydrant that is in front of the Sacred Heart Church and I do not think that is advisable, the next closest is on is up Drakeside Road. They also intend to replace the main and services on Manchester Street, Sun Surf Avenue and Towle Farm Road.
9. There will be a hearing on April 5, 2016 on pole evaluations and we hope people will come up and testify.

Selectman Waddell MOTIONED to allow SAU 21 use a sign at no charge SECONDED by Selectman Barnes.

VOTE: 5-0-0

Chairman Bridle: I would strongly suggest that they keep the hydrant in front of the Sacred Heart Church.

Town Manager Welch: to lose a hydrant in that area is a serious matter.

Selectman Griffin MOTIONED to send a letter to Aquarion to keep the hydrant in front of Sacred Heart Church SECONDED by Selectman Waddell.

VOTE: 5-0-0

Selectman Bean: has Senator Stiles responded to you concerning HB 1198? Town Manager Welch: not yet

Selectman Bean: could you get a response on that and send that same information to the Ways & Means Committee.

Selectman Waddell: I would hope that none of the businesses be affected during the day when working on the water main. Town Manager Welch: one of the conditions will be anything done on Lafayette Road is done at night.

Attorney Gearreald: could we have a motion so Mr. Tinker and I can speak before the board to discuss opposition to the bill

Selectman Waddell MOTIONED allowing Attorney Gearreald and Mr. Tinker to speak for the Town of Hampton regarding the opposition to HB 1198 SECONDED by Selectman Bean.

VOTE: 5-0-0

VI. Old Business (53:32)

1. RSA 41:14-a Vote on the acquisition of Stormwater Drainage and Turnaround Easements at 88 Leavitt Road

Selectman Waddell MOTIONED to APPROVE the acquisition of Stormwater Drainage and Turnaround Easements at 88 Leavitt Road SECONDED by Selectman Bean.

VOTE: 5-0-0

2. RSA 41:14-a Vote on the acquisition of Drainage Easement at 167 North Shore Road

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Selectman Bean MOTIONED to APPROVE the acquisition of Drainage Easement at 167 North Shore Road SECONDED by Selectman Waddell.

VOTE: 5-0-0

3. Policy for Refuse and Recycling Collection from Condominiums

Town Manager Welch: ask that you defer that for another week to await the DPW response.

Chairman Bridle: very good, we will wait until next week.

Selectman Bean: in light of 1198 last week and again in review of March 25 legislative bulletin, we are making headway in our influence up there; Cordell Johnson I assume wrote this. There was traffic sent from this board about the fiscal notes. The last paragraph on page 3 says this fiscal note process is far from perfect; that is not accurate; the costs are determinable and a system needs to be set up.

Selectman Bean MOTIONED to put the Legislative Bulletin under Useful Links on the town webpage SECONDED by Selectman Barnes.

VOTE: 5-0-0

Selectman Bean: would like to incorporate legislative issues to educate the citizenry on our agenda weekly to discuss these types of issues that are costing us a lot of money.

Selectman Bean MOTIONED to incorporate legislative issues weekly on the agenda SECONDED by Selectman Waddell.

VOTE: 5-0-0

Chairman Bridle: I would like our legislative delegation to come in here for a meeting in August to have a conversation with them concerning things we/public may want for legislation and inform us what the LSRs (start of a bill) are. Then have them back in December/January so we/citizens can let them know how we feel.

VII. New Business (57:48)

1. Selectmen's Committee Assignments

Recreation and Parks Committee

VOLUNTEERED by Selectman Waddell as the Representative to the Recreation and Parks Committee

Cable Advisory Committee CATV

VOLUNTEERED by Selectman Waddell as the Representative to the Cable Advisory Committee CATV

VOLUNTEERED by Selectman Bridle as the Alternate Representative to the Cable Advisory Committee CATV

Capital Improvement Project CIP

VOLUNTEERED by Selectman Barnes as the Representative to the Capital Improvement Project CIP

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VOLUNTEERED by Selectman Waddell as the Alternate Representative Capital Improvement Project CIP

Records Advisory Committee

VOLUNTEERED by Selectman Griffin as the Representative to the Records Advisory Committee

VOLUNTEERED by Selectman Bean as the Alternate Representative to the Records Advisory Committee

Energy Committee

Chairman Bridle: As there are not enough members, this committee is suspended for now.

Hampton Area Chamber of Commerce Liaison

VOLUNTEERED by Selectman Bean as the Hampton Area Chamber of Commerce Liaison

Hampton Beach Village Precinct District Liaison

VOLUNTEERED by Selectman Barnes as the Hampton Beach Village Precinct District Liaison

VOLUNTEERED by Selectman Griffin as the Alternate Hampton Beach Village Precinct District Liaison

Insurance Advisory Committee

VOLUNTEERED by Selectman Bean as the Insurance Advisory Committee Liaison

Collective Bargaining Committee

VOLUNTEERED by Selectman Bean as the Collective Bargaining Committee Liaison

2. USS Hampton Committee

Selectman Waddell MOTIONED to APPOINT the recommended individuals to the USS Hampton Committee SECONDED by Selectman Griffin.

VOTE: 5-0-0

3. Signing of CBA's (1:01:38)

The Board signed the collective bargaining agreements of the Police and Fire Departments.

VIII. Closing Comments

IX. Adjournment

Selectman Waddell MOTIONED to go into a non-public session under RSA 91-A:3,II,(c,d,e) SECONDED by Selectman Barnes.

Roll Call was unanimous.

1. Cornerstone at Hampton Conservation Easement issue

Town Attorney Gearreald and Conservation Commission Chair Jay Diener updated the Board of Selectmen about the title issue involved and the issue of whether to record the 1972 Conservation Easement deed that he had found the original of in the "Town Deeds" book in the Town Clerk's Office. It was noted that the Board of Selectmen in

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1975 had voted specifically to approve this Easement and to record this deed; however, it never made it to the Registry of Deeds.

On motion by Selectman Bean, seconded by Selectman Griffin, the Board voted unanimously to direct that this deed be recorded at the Rockingham, County Registry of Deeds. There was then discussion of the option the developer would have to petition the Town Meeting to release the 6 remaining years of this Easement where neither the Conservation Commission under RSA Ch. 36-A nor the Board of Selectmen under RSA 41:14-a have the statutory authority currently to release or exchange this easement.

2. Opechee Corporation potential hotel site deed restriction issue:

Town Attorney Gearreald and Jay Diener updated the Board of Selectmen on the status of the proposed hotel development that so far has only gone before the Professional Review Committee (PRC) of the Planning Board. The problem is a “no hotel” deed restriction that appears in many deeds in the chain of title and has only been released by the grantor in the deed in which the restriction was imposed and by the grantors of the two most recent deeds. The Town Attorney will communicate with the developer’s counsel.

3. Deed Restriction as to second dwelling unit at 751 Ocean Boulevard

Town Attorney Gearreald updated the Board on a request from attorneys for the buyers and sellers of the front condominium unit in a two-unit condominium located at 751 Ocean Boulevard concerning enforcement of a prohibition against having a second dwelling unit that appeared in the 1984 deed from the Town of this formerly leased land. This restriction was not present in the Lease of the 1984 buyer and therefore, in accordance with the terms of the May 1982 Special town Meeting, should not have been imposed; however, the Selectmen lack the authority under RSA 41:14-a to release such a restriction and the Town Meeting would need to be petitioned in order for a release to occur.

On motion by Selectman Waddell, seconded by Selectman Barnes, the Board voted unanimously to sign a document presented by the town Attorney entitled “Selectmen’s Position Regarding Enforcement of Deed Restriction 4 as to Front Unit,” which the Town Attorney will forward to the attorneys for the buyers and sellers, whose closing has been scheduled shortly.

The non-public session adjourned at about 8:43 PM and the minutes were not voted to be sealed. The public session was not rejoined.

Chairman