

July 11, 2016

6:30PM RSA 91-A,II,(a) Non-Public Meeting

Present: Rusty Bridle, Chairman
James Waddell, Vice Chairman
Philip Bean, Selectman
Rick Griffin, Selectman
Regina Barnes, Selectman

Acting Town Manager Jamie Sullivan
Town Attorney Mark Gearreald

The Selectmen's meeting convened in public session at about 6:30 PM.

Upon Motion duly made by Selectman Waddell, seconded by Selectman Bean, the Board voted unanimously by roll call vote to go into a non-public session under RSA 91-A:3, II (a) (compensation of public employees).

Acting Town Manager Sullivan updated the Board on his work product generated in response to directives concerning non-union employee salaries to the end of making recommendations regarding raises. He presented two sheets to the Board including one sheet showing raises if the rate of 1.75 % across the board was utilized and another showing raises if the rate of 2% was utilized. He recommended that three other positions be dealt with separately: namely the Police Chief, whose salary should be realigned to be more competitive with other communities such as Seabrook, and the Deputy Police Chief and Police Chief's Administrative Assistant. All raises mentioned would be effective April 1, 2016.

Following discussion, Selectman Waddell moved to provide a 2% raise for all non – union employees effective April 1, 2016 with the exception of the Police Chief, Deputy Chief, and his Administrative Assistant. This motion was seconded by Selectman Bean and was unanimously passed.

After discussion of the Police Chief's salary in relation to other communities and his additional service in his role as head of emergency management in Hampton, Selectman Griffin made a motion to provide a 3% raise to Deputy Police Chief Hobbs, a 3% increase to Administrative Assistant Linda Stiles, and a \$10,000 salary adjustment to Police Chief Sawyer, all effective April 1, 2016. This motion was seconded by Chairman Bridle and was passed unanimously. It was noted that all of these raises would be included in the Default Budget and that Acting Town Manager Sullivan would be looking to gain an agreement with these individuals regarding the Cadillac tax under Obamacare like that which is now in place with the Police Unions.

The meeting recessed at 6:55 PM on Motion made by Selectman Waddell, seconded by Selectman Barnes, which passed unanimously to rejoin the Public Session downstairs.

These minutes are not to be sealed.

7:00 PM Public Meeting

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

SALUTE TO THE FLAG

Chairman Bridle: Moment of silence for the police officers in Dallas and the rest of the violence that has gone on over the past week

I. Public Comment Period (2:45)

Victor Demarco: State of NH made \$105,000 from parking meters on the July 4, 2016 weekend, we made around \$65,000; support increases for the part time employees of the Town, and they work really hard; lowest paid than anybody at beach; precinct starts @ \$9.00 per hour, then go to \$9.50 with a \$350 bonus at end of season.

Assistant Manager Sullivan: what would you recommend the upper limit authorization for parking? Victor Demarco: the parking lot beyond us across from G Street does not open until we are full then they go to \$35-\$45; the maximum we go to is \$20. July 4th weekend we were full at 9:15AM, because we were @ \$20 and everybody else \$30-\$35; I would recommend on hot weekends, holiday weekends, Friday I think \$30-\$35; I saw \$60.

Selectman Griffin: there were complaints about that; the State has not cut the amount of police according to the information we received from Nancy Stiles; they got money from another source in the budget.

Assistant Manager Sullivan: my understanding is they initially did cut the funding in the budget for Hampton Police details by half; then they started to pull from other areas and other grant funded areas to help augment, but the Chief can speak to this.

Mary-Louise Woolsey: Phil made an incredible presentation about all the money the State is sucking up and not giving to Hampton. I came to do a quick follow up on the perambulation situation; explained circumstances to attorney, which he said would be no need at all for the Selectmen to go to Superior Court because if the statutory requirements for the perambulation were not met then it was nothing just meetings with friends have to talk things over. I sent an email to all of you to confirm the information I received; email went through to Attorney Gearreald, Phil and Regina, but Waddell, Bridle and Griffin came back blocked and hoped that was not deliberate.

Selectman Waddell: very quickly, that is not the case, nothing is blocked; there is no blockage.

Selectman Griffin: I do not know anything about this blocked stuff; not a conspiracy Mrs. Woolsey.

Mary-Louise Woolsey: you need to check on the perambulation, if it did not comply with our RSA 51, you would have to notify Seabrook, need to redo and notify the archives and records in Concord. Because it is certainly unfair to the public to have an improper document filed up there, I hope that you have talked to Town Counsel about the status.

Chairman Bridle: I have blocked nobody from my email; I do not know what happened, but did not receive that email.

Selectman Griffin: I have not had any problems with mine and I am not even aware you can block someone

Charlie Preston: I think it is a slippery slope increasing the parking lot fees; I would rather have repeat business then one and done, because if you start nailing people \$40-\$60, people leave throw their trash on the ground, leave and bad mouth us forever. I think the Town and Precinct has done a great job; need to sit down after September. If we look back to the intersection of Brown and Ashworth; the Precinct was making \$500-\$600 per space over what the Town was making and it is not because of gouging. Let us not get greedy. The State has a bill that took effect July 1 being able to park for about 80 days free as a benefit, user friendly for businesses. I would like to see the Board doing the same thing with the Town lots.

II. Announcements and Community Calendar (16:25)

Selectman Waddell: recently in the last week or so residents got their new assessments; remember it is the five-year valuation on your house; not necessarily tagged to the tax rate we have now; with assessment going up the tax rate may go down.

III. Consent Agenda (17:20)

1. Solicitation Permit: Local 2664 Annual MDA Boot Drive
2. Parade & Public Gathering License: Hampton Rotary Club "Reach the Beach" 09/17/16; Annual Walk by the Sea 10/01/16
3. License for Coin Operated Amusement Devices: Tidewater Campground LP 160 Lafayette Road; Funarama, LLC Casino Bldg. At F Street;
4. One Day Entertainment License: The James House Association 08/06/16
5. Raffle Permit: The James House Association 08/06/16 thru 08/16/17 1-year
6. Request for No Objection for Service of Alcohol Outside: Bernie's Bar & Grill 71 Ocean Blvd

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

VOTE: 5-0-0

IV. Appointments (17:54)

1. Chief Sawyer: Police Department
 - a. Departmental Update / 4th of July review

Chief Sawyer: the Deputy Chief is at the National Academy for 10 weeks. The tragedy in Dallas affects the law enforcement community; ripple effect issues with recruiting and retention; learn the facts; polarizing and pointing figures; includes law enforcement; response that people think shooting and targeting police is the solution is outrageous. An amazing thing happened the day after, the police officers showed up to do their job; nobody called in sick or

turned in their equipment; they showed up to do their job; want to offer my thanks and deep appreciation. Current staffing level is 34; utilizing three corporals; one office out of service; part time staffing is 32; part time academy in August and have three candidates attending. Calls for service up 8%; arrests up 4%; DWI down 3%; drug offense down 29%; incident reports down 25%; offences down 11%; felonies up 11%; motor vehicle stops up 40%; parking tickets down 15%; accidents down 11%; three deaths due to heroine and opioid overdose. Brought in officers from other municipalities; July 4th weekend was challenging; special thanks to NH State Police, Rockingham County Sheriff's Dept., UNH Police Dept., Epping Police Dept., Exeter Police Dept., and Greenland who all provided personnel and equipment; also thank Seabrook Police Dept. for traffic control and assistance from NH DOT; Lawrence, MA Police donated crowd control fence.

Selectman Barnes: you and the department have done a great job.

Selectman Waddell: good report; I feel very safe in Hampton due to the well-trained police department.

Selectman Bean: your profession has probably become the singular most difficult professional to serve and lead outside of our military forces thank you for your leadership and protecting property and life in this Town.

Selectman Griffin: I agree with everything said, you are doing a great job and continue to do a great job. What is the story about the amount of State Police coming, has it been restored? Chief Sawyer: the State Police can only come in to operate at the invitation of the Chief of Police or directed by the Attorney General. The State Police have always had an open invitation; I encourage them to work with us, I only ask that we coordinate our efforts. We talk weekly with Lt. Vetter in coordinating our events. Through the legislative process, the line item for the State Police details was cut in half, which caused problems moving forward with our normal scheduling. The Col. was good enough to try to direct some of the other patrols down to our region. The State has a shortage of police officers, which spurred the decision to bring in outside agencies to assist us.

Selectman Griffin: you feel that the Governor and the State are supporting you. Chief Sawyer: yes, to the best of their ability, I have no complaints with them; they are giving us everything they can.

Selectman Griffin: could you tell us what your role is as the Emergency Management Director? Chief Sawyer: my role is governed by statute; it is only in effect after the Governor declares and emergency, but part of the supporting role is an administrative function in report to NH Homeland Security Management.

Selectman Griffin: so you are comfortable in your role as Director. Chief Sawyer: I would not say that; I am comfortable doing my job as Police Chief; the State is in the process of developing an Emergency Management Director's class and I would look forward to attending. It is a challenge, but we need to take a hard look on how we budget and how we do our emergency management; if you look at other communities, such as Seabrook they have a separate Emergency Management Director and a separate budget and staff.

Chairman Bridle: you spoke about the fencing from Lawrence, MA. Chief Sawyer: yes, they did not have the same amount available to us as last year, have been discussions with the beach

precinct and with the HBAC to try to get some support for funding to purchase more fencing; ultimate goal to go from G Street to the Ashworth, to divert the folks into the crosswalk.

Chairman Bridle: get out and talk to the police, bring them water. Chief Sawyer: I want my officers seen; we are going to make it an annual event hosting a cookout for the new police and firefighters.

Assistant Manager Sullivan: I want to commend the Chief on a creative solution on the mutual aid group coming in, could you explain to the public how that is going on.

Chief Sawyer: we have traditionally utilized the NH State Police and the Rockingham County Sheriff's Dept., but we saw there was a significant deficiency in our numbers. I currently serve as the President of the Seacoast Emergency Response team; draw upon the Chiefs that I already have mutual aid agreements with whether they would be willing to allow their officers to come down and augment the Hampton Police Department on detail on the hot days and the days we have big events. We also have gone out and helped the agencies at a number of their events; it has been a good relationship.

2. Dyana Martin, Parks and Recreation Director (44:50)

a. Departmental Update

Director Martin: in the parks department have had 2 employees working since January; fibar has been ordered to spread on the playgrounds; mowing fields and picking up trash; put up sunscreen dispensers; organizing playground equipment. I took a National Certification exam; parking lots opened the end of March, so far have made \$228,889. Have a lot going on for recreation programs; completed and trained camp counselors; set up a number of summer programs and camps that are on our website.

Selectman Barnes: great report.

Selectman Waddell: nice report; how many kids do you service. Director Martin: hard to say; summer day camp is 65 kids.

Selectman Bean: thank you; good report.

Selectman Griffin: I know this is not under you, but had complaints about the Precinct playground. Director Martin: the lifespan of a playground is usually about 14 years

Selectman Griffin: do you think you can give them some information now that you have this new certification. Director Martin: I have been asked a few things.

Selectman Griffin: what about the yoga classes, I hear there are some unhappy women. Director Martin: we had to change the time because they wanted to have it at the Tuck Building, so when the kids are off on field trips they come in and do yoga; it is only a half hour difference. Selectman Griffin: so they are not being short-changed or anything. Director Martin: no, not at all they still have the same amount of time. Selectman Griffin: thank you

b. Part-Time Seasonal Employee Raises (55:07)

Assistant Manager Sullivan: ran analysis for impact; this is for the parking lot attendants, camp counselors and the like; they start at \$8.00 an hour for many years.

Director Martin: trying to get the starting pay at \$10.00 per hour

Assistant Manager Sullivan: which is very reasonable; Finance did an analysis and we see that the line item may exceed by a couple of thousand dollars; would like the Board's support.

Selectman Waddell: motioned that we grant the raises.

Assistant Manager Sullivan: and to authorize to potentially over expend that line item

Selectman Bean: what exactly is the pay raise motion? Assistant Manager Sullivan: going from \$8.00 to \$10.00 per hour and a couple of supervisor positions to \$12.00 per hour

Selectman Bean: I support the motion and we receive a financial impact from the Finance Department.

Selectman Waddell MOTIONED to APPROVE the Authorization for Part-Time Seasonal Employee Raises SECONDED by Selectman Bean.

VOTE: 5-0-0

- c. Parking Lots – Authorization for increase of maximum parking fee limits due to market demand. (57:33)

Assistant Manager Sullivan: the Board set in the past the maximum fee in the parking lots at \$20.00.

Director Martin: I have a problem with it as I feel \$20.00 is a fair price, but over the past few years we fill up and the other parking lots open up and start at \$40.00-\$50.00 and they were even \$60.00 on the 4th, which is ridiculous; we try to stay the same as the precinct and casino lots. I would like to jump up higher on special occasions, as I do not want to gouge the customers, but I also do not want to short-change the taxpayers on what we can bring in.

Selectman Griffin MOTIONED to make the parking fee price \$25.00 for Saturdays and Holidays, or special events; maybe Saturdays and Sundays and leave it at that; the reason we have fireworks is to attract people to the beach.

Assistant Manager Sullivan: I would like to see us have the flexibility to stay competitive with the Casino and the Precinct.

Selectman Griffin: the Casino is \$20.00. Assistant Manager Sullivan: they went to \$30.00.

Chairman Bridle: I went down this weekend to check the parking lot prices; at the Casino, they talked about going to \$40.00, but said no they would keep it at \$30.00; the Precinct went to \$30-\$35. We had some private lots going up to \$60, which his ridiculous. Our lots were full at 9AM and the other lots were not open, they wait for us to fill up and then they jack their prices up; it is not fair. I think we should have the ability to go up to the \$30 just like the Precinct and Casino.

Director Martin: I want to get permission to raise the money we have in our change banks.

Selectman Waddell: we do not want to become the Town that is ripping off customers; I think \$30 is not outrageous; we need to be efficient in collecting the money and counting of the money; have you considered going automated.

Assistant Manager Sullivan: yes

Director Martin: the problem with that is we have leases on the lot, so there would not be anyone there to save the spaces; also not the flexibility to change prices.

Selectman Griffin: the Precinct offers other services with their lots. Director Martin: they have overnight parking.

Selectman Barnes: I do not think we should go to high; I think \$30 would be good.

Selectman Bean: the going rate for other parking down there is \$30; there is value in parking at a Hampton parking lot; it is insured, lit, police patrolled, professional run, and safe. Selectman Griffin has a motion, but I support a different version that we set a \$30 limit, and it is up to the Director.

Chairman Griffin: we have a motion by Rick, is there a second; seeing no second, do I have another motion.

Selectman Bean MOTIONED to APPROVE the Authorization for increase of maximum parking fee limits to \$30 due to market demand SECONDED by Selectman Waddell.

VOTE: 4-1(Griffin)-0

V. Old Business (1:17:40)

1. Non-Union Pay Adjustments

Assistant Manager Sullivan: The Board has decided to put 2% pay raises to non-union employees; 3% increase to Deputy Chief of Police and Administrative Assistant to the Chief of Police; \$10,000 pay adjustment to Chief of Police to make his salary competitive with others in the area; effective April 1, 2016.

Selectman Bean: is there any significance with the health care act. Assistant Manager Sullivan: yes, we would seek to have the same language as we have with the contracts that have passed for the ACA language as well

Selectman Waddell: this was done after extensive research; advancements that have been made in different departments and looking at other towns and what they are paying their employees; our employees deserve a raise; Jamie did a lot of research.

Selectman Bean: being a police officer has become one of the most singularly dangerous and most challenging professions in the USA; the contractual and monetary adjustments are certainly in line with that.

Selectman Waddell MOTIONED to APPROVE the Non-Union Pay Adjustments SECONDED by Selectman Barnes.

VOTE: 5-0-0

VI. New Business (1:10:32) Jason Bachand, Julie LaBranche, Rayann Dionne

1. NH Coastal Program Resilience Grant Program

a. High Water Mark Initiative

Mr. Bachand: asking for support in pursuing grant with the Rockingham Planning Commission for a high-water mark initiative; working on application for community rating system; worthy project for Town; flood risks.

Ms. LaBranche: raises visibility of flooding; implement or install visual reminder; installation of pole marking high water levels; get more points for more public outreach and involvement; installation in Portsmouth, Rye and Hampton; web-based story board; Town can decide where

they want it installed; could do bench-marking on building instead; estimate two installations per Town. Estimating that grant would be \$8,000 with \$4,000 match from Town.

Assistant Manager Sullivan: request for the Board to give letter of support for the grant; may take some staff time; thought this would be beneficial.

Selectman Barnes: good idea.

Selectman Waddell: good idea, especially getting points for the community rating; reduce rate for flood insurance.

Ms. LaBranche: there may be some monetary costs; preparation of the ground the post would be installed on.

Selectman Waddell MOTIONED to APPROVE the NH Coastal Program Resilience Grant Program High Water Mark Initiative SECONDED by Selectman Barnes.

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

2. Public Works – GMI Asphalt, LLC

Assistant Manager Sullivan: the Public Works Department wants permission to have GMI Asphalt who did the work on the drainage in the center of Town to come back and repair certain items and they are requesting from the Board to do two nights of work to accomplish that, rather than deal with daytime traffic. Authorization is needed to work two nights to solve the issues; cutting pavement, small amount of excavation, brick repair, compaction and repaving and would like to do this work sometime in the next two weeks.

Chairman Bridle: Jen did a great job notifying the people, and hope that she would talk with the businesses to keep them informed on what is happening.

Selectman Waddell MOTIONED to APPROVE GMI Asphalt, LLC working two nights SECONDED by Selectman Bean.

VOTE: 5-0-0

Attorney Ells: we are here to ask Board to consider the pending application for an entertainment license on what has been Bernie's Beach Bar as it is in the process of expanding the operation at 73 Ocean Boulevard; used to be La Bec Rouge; recently gone through planning process and received approval. Has pending application for entertainment license; assume noise would be primary issue. As formally not on agenda, think Chief of Police should be present.

Assistant Manager Sullivan: had discussion with Mr. Fleury and think it is prudent to have on next meeting based on the communities input to have notice; have not seen pending application, as my understanding is he is seeking an application of the current entertainment license.

Mr. Fleury: the Chief will do a walk-through tomorrow; asking for guidance; venue has changed; did not know if he should apply for a different license; inside/outside licenses.

Assistant Manager Sullivan: your current approved permit authorizes that your outdoor entertainment not continue past 11PM; your modifications is with your indoor section; prudent to come in and clarify with official; get Chief's assessment; as long as doors are closed I do not think that is in violation.

Mr. Fleury: should I still use that old application? Assistant Manager Sullivan: it would be prudent to apply for clarification to the Board; allow the public to be heard based on those issues.

Attorney Ells: the stage as been moved 200' to the south and enclosed on three sides; have great sound engineer that will submit application; able to control sound, direction and distance of projection. Chief was happy at the review committee when he learned we were moving the outside venue to the south with the new enclosure.

VII. Closing Comments (1:29:01)

Attorney Gearreald: request to have the Board go into a nonpublic session at close.

VIII. Adjournment

Selectman Waddell MOVED to enter into nonpublic session under RSA 91A:3,II,e and asked for roll call at 8:30 PM SECONDED by Selectman Barnes.

VOTE BY ROLL CALL: 5-0-0

Chairman