

September 23, 2019

7:00 PM Public Meeting

PRESENT: Rick Griffin, Chairman
Jim Waddell, Vice-chairman
Rusty Bridle, Selectman
Regina Barnes, Selectman
Mary-Louise Woolsey, Selectman
Frederick Welch, Town Manager

SALUTE TO THE FLAG

I. Public Comment

Richard Reniere, 21 Highland Ave. He discussed the decorative street lights on Highland. He stated there are six inoperative, and he asked that they get going again. He also mentioned the tree that have been removed due to construction at the Kentville. He then discussed calling Parks and Rec and the phone prompt that states to go to the website for phone numbers, or talk to Kristina at the Town manager's office. He asked that we go back to the old system of pressing the button for the department you were looking for.

Richard Beauman, 739 Ocean Blvd. He asked for the opportunity to speak after Ralph Dumke & Scott Ramsey on 737-739 Ocean Blvd.

Chairman Griffin stated that is not something we usually do.

Selectman Barnes MOTIONED to ALLOW him to speak, SECONDED by Selectman Woolsey.

Sel. Bridle stated it was public comment, and Chairman Griffin stated it was inappropriate. Sel. Bridle said it would be appropriate when the time came up.

Chairman Griffin stated there is no back and forth talking during public comments and any comments that needed to be made can be done.

There was discussion between Chairman Griffin and Sel. Woolsey regarding someone speaking.

Again.....Selectman Barnes MOTIONED to ALLOW him to speak after the appointment, SECONDED by Selectman Woolsey.

Sel. Waddell stated the motion should be done at the appropriate time, after the appointment.

(There was no vote taken on either motion by Sel. Barnes)

Gary Pull, 4 Lions Street. He asked for the approximate dates that they would be dredging the harbor.

Elissa May Straulas Ring, 139 High Street. She stated she had recently been in touch with Chairman Griffin and Mr. Welch regarding the extremely bright lighting at the Academy School project. She mentioned a letter she sent to the Superintendent, and also that Mr. Welch relayed to her that the Town has no jurisdiction over the school. She mentioned a previous sign issue, 5 years ago. She stated she wanted to make people aware of light pollution and she discussed many effects of it. She discussed neighborhoods and trees, and the school renovating rather than building new somewhere else. She discussed the effects of the removal of eight mature trees. She asked if they would be replaced and stated many benefits of doing so. She also mentioned the parking signs possibly being permanent.

Carla Cloridy, 22 Academy Ave. She discussed moving to Hampton 3 years ago after an extensive search and stated Academy Ave felt like home. She discussed receiving letters from the Town regarding school construction, tree removal, and taxes. She asked for replacement of the trees that were removed and the benefits of doing so.

II. Announcements and Community Calendar

Sel. Woolsey stated the Academy will be having an open house on Saturday, October 5th, at 10am, and she said she will be attending and will bring the memo with her.

III. Approval of Minutes

1. September 9, 2019

Selectman Woolsey MOTIONED to APPROVE the minutes of September 9, 2019 SECONDED by Selectman Waddell.

VOTE: 4-0-1(Bridle)

IV. Consent Agenda

1. Conservation Commission Appointment: Robert Fox, Alternate
2. Parade & Public Gathering Licenses: Experience Hampton Christmas Parade 12/07/19, Fall Festival Cornerstone 10/29/19
3. Road Closure Permits: Experience Hampton Christmas Parade 12/07/19, Colby Street/Wentworth Avenue 09/29/19
4. Permission for on-going repairs to Old Park Avenue – Connor
5. Release of Lien: Hampton Trailer Park Map 210-003-089

Sel. Barnes had a question on #2&3. She mentioned an email regarding US political candidates and stated she felt only local politicians should be involved. Chairman Griffin stated they have come in the past. There was general discussion about previous invitations to sitting senators. Chairman Griffin asked Mr. Welch for clarification. Mr. Welch stated in the past there weren't 20 or 30 running for president and that the permit is for someone else to run a parade, not the Town.

Selectman Waddell MOTIONED to APPROVE the Consent Agenda, SECONDED by Selectman Bridle.

VOTE: 3-0-2(Barnes, Woolsey)

V. Appointments

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

Ms. Pulliam stated they all should have received the August financials. This is the eighth report of 2019 and the expenditure target is 66.67%.

- **Revenue Summary**

- When you review the attached Revenue report you can see the differences in revenue from 2018 to 2019. The 2019 revenue is higher than 2018 revenue by \$455,972. The one item that continues to make up this increase is \$224,914 from Primex as return on premiums. If you do not include this amount the revenue is higher in 2019 by \$231,058.
- The month's total income was \$738,044. Of that total, motor vehicles came in at \$315,142;(corrected amount) Interest on Taxes at \$4,961; Building Permits at \$30,525; Highway Subsidy at \$97,053; Departmental at \$100,430; Rye Sewer Agreement at \$17,867; Interest on Deposits at \$11,742; Parking Lots at \$104,565; District Court Fines at \$9,117; Real Estate Trust at \$45,673.

- **Expense summary**

- On the expense side you will find that we are 63.59% spent or under budget by \$775,468 or 3.08%.
- General Government section is under budget by \$169,010.
- The Police Department is under budget by \$223,528.
- The Fire Department is over budget by \$10,412.
- The Building Department is under budget by \$15,460
- Hydrants will end the year over budget by \$24,754, as both payments have been made for 2019.
- Public Works is under budget by \$404,568. There are a lot of projects currently going on, so I do not expect this number to remain this high.
- Animal Control is under budget by \$7,318.
- Parks & Recreation is under budget by \$22,856.
- Library is over budget by \$9,487.

- **Funds Other than the General Fund**

- Fund 24, Recreation has a balance of \$236,999 with \$11,789 being granted in scholarships.
- Fund 25, Cable Committee has a balance of \$197,064.
- Fund 26, Private Detail has a balance of \$216,264.
- Fund 27, EMS has a balance of \$453,047.
- Wastewater System Development Charge, fees collected in 2019 total \$34,754 with a balance in this account of \$216,633. The Board has approved expenditures from this fund of \$95,491.

Ms. Pulliam corrected the motor vehicle amount.

Sel. Barnes stated that total motor vehicles is 2.6 million so far. She asked if it would be possible to have the total DRED tons and amount billed for September, along with the master trash and recycling spreadsheet. Ms. Pulliam stated yes. She also asked for Seafood Fest expenses and reimbursements for 2017, 2018, and 2019. Ms. Pulliam stated she will make sure all is in for 2019 and then she would get them.

Sel. Waddell asked about parking ticket revenue being down, but parking lot revenue is up, and Ms. Pulliam clarified yes, that is the case.

Sel. Bridle mentioned the overage in the Fire Dept. and it being due to overtime and such and Ms. Pulliam stated the fire suppression numbers being at 80% in overtime and emergency callbacks. Sel. Bridle mentioned the increase in calls and Ms. Pulliam stated the overage is not that much. She also mentioned the difference between dollars and percentages reporting, and the \$10,000.00 overage is not concerning at this point.

2. Ralph Dumke & Scott Ramsey
 - a. 737-739 Ocean Blvd Parking & Fire Lane issues

Mr. Ramsey stated he is Greg, not Scott. He stated he is the attorney for the Dumke's, and they were here regarding the 737-739 Ocean Blvd parking & fire lane issues, the fire lanes in particular. He stated the Dumke's own 741 Ocean Blvd. He talked about the non-compliance of the owners of 737-739 Blvd. He discussed the non-compliance being not having the 4 approved spaces, leading to parking on the street and in the fire lanes, with it be a fire and safety hazard. He discussed the length of time it has been going on, and discussed where the 4 spaces should be. He also mentioned previously meeting with the Town manager and the Town attorney. He gave some history of the issue, referencing prior meetings with the Planning Board. He also mentioned the owners recording an amended condominium document listing 2 parking spaces, stating that it shows they know they are not in compliance. He discussed ticketing, stating only one he knew of, which he feels leads the owners to feel entitled to the fire lane parking. He is asking for the Board to enforce the parking rules and ordinances with regard to what the Planning Board approved. He referenced his statements were a summary of a letter and exhibits sent to the Board on Aug. 27th.

Chairman Griffin asked Mr. Welch to comment. Mr. Welch stated he believed the Board has no power to act at this time as the applicants have filed an amended site plan with the Planning Board that is meeting on Oct. 2nd, and that the Board should wait until that time as the situation may completely change.

Sel. Waddell stated he agreed.

Sel. Bridle stated he agreed and mentioned the gentleman that asked to speak and that he had no problem with that.

Selectman Bridle MOTIONED to ALLOW him (Mr. Beaman) to speak, SECONDED by Selectman Barnes.

VOTE: 5-0-0

Sel. Woolsey stated she believed this is a Planning Board matter.

Mr. Dumke stated he was an abutter and he had not been notified and Mr. Welch stated he needed to take that up with the Planning Board. There was general discussion on the Planning Board having the jurisdiction and they are who should be spoken with. Mr. Welch restated they are a separate board.

Atty. Ramsey again asked the Board to enforce the parking ordinances, stating he felt it a separate issue from what the Planning Board decides to accept or not accept.

Chairman Griffin asked Atty. Gearreald to comment. Atty. Gearreald stated that what goes on at the site is driving what happens on the street. He stated if the Board were to take action before the Oct. 4th (2nd) meeting it would be premature, and he stated the enforcement of the parking is a Police matter, not for the Board.

Atty. Ramsey stated he felt the Board could direct the Police to enforce and Mr. Welch stated that was incorrect, the Police is not under his control by statute. Atty. Ramsey reiterated that he feels the Board should enforce the rule that there is no parking in a fire lane, and Mr. Welch stated the Chief of Police is the one to determine if the ordinance is in violation and if a citation should be given.

Atty. Ramsey asked again for the Board for enforcement. Mr. Welch outlined the process for the Planning Board to petition the select Board to enforce rules, and the select Board doing so, or letting the abutter take the court action. In this instance, the Planning Board has not asked the select Board at this time to do so. Mr. Welch stated he hoped this would be resolved at the Oct. 4th (2nd) meeting. Atty. Ramsey mentioned the Planning Board saying they do not have the authority to enforce and he discussed the ping pong effect and going back and forth between boards and he again stated they are asking for a rule on the books that should be enforced. Mr. Welch discussed a condominium requirement enacted by the Planning Board, and they being asked if there is an infraction and they have consistently said no. He also discussed that the scheduled meeting is the Planning Boards way to address this issue and look for a resolution, and he offered that perhaps after that meeting they will ask the select Board to step in. Mr. Welch also discussed ordinances that are solely the authority of the Planning Board.

Mr. Welch and Atty. Ramsey discussed the parking in a fire lane issue, and Mr. Welch reiterated the Chief of Police's role in the matter. Chairman Griffin asked who decides where the fire lanes are. Mr. Welch answered the recommendations come from Fire, Police and DPW departments and the fire lane is the paved portion of the roadway.

Chairman Griffin stated the Police Chief was in the audience and he came to the podium. The Chief discussed the issue, and the difficulty of issuing parking tickets. He discussed the difference between fire lanes and public and private property. He discussed the enforcement of the fire lanes. He discussed the confusion of the yellow boxes, the signs, and what people think are the fire lanes, and he mentioned that it is an issue in the entire north shore. He discussed plot plans, and a common sense issue. He stated a lot of things need to be fixed so that people know where they can and can not park.

Chairman Griffin discussed marking spots and fire lanes. Chief Sawyer mentioned telephones poles being in the right of way. Chairman Griffin mentioned the cost of marking and what was done in the past.

Mr. Dumke discussed that if you let some people park in the fire lane, everyone should be able to park in the fire lane. He discussed the number of spaces and the amount of registered vehicles. There was general discussion about courtesy and respect. Atty. Ramsey reiterated all his points about the issue. Mr. Dumke asked if he should come back to the Board after the Planning Board meets. Chairman Griffin said that in discussing with the Town planner, the Town planner thought there would be a resolution at the meeting. Atty. Ramsey again asked the Board to look into the parking in a fire lane violation issue aside from what the Planning dept. does.

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Mr. Beauman came to the podium. He discussed the parking space for 739 that was approved by the Town, and that it met the size requirement, 9x18. He also stated that if they are parking in the fire lane, and that they will be ticketed, he ask the same as every other street, (2nd through 19th) have the same consideration. He stated he is doing what he sees others doing. He stated he will comply with what others comply with. Chairman Griffin agreed all should do the same.

Sel. Bridle asked about the size of the one space being 9x18 and it was answered, yes, 9 wide and on his property.

Atty. Ramsey stated they are asking for that conformity, all should be ticketed.

3. Edmund Kelty

- a. 7 Redman Street relief from removing Pavers in right-of-way

Mr., Kelty was not in attendance.

VI. Town Manager's Report

1. The Port Authority has labored to repair any deficiencies in the fuel facility at the State Pier in the harbor. According to the last report operations are normal at this time. Our thanks to Captain Geno Marconi for his work in resolving problems with the system.
2. The first LED Street Lights have been installed with the first lights being installed on Laurel Lane, Edgewood and Morningside Drive. This project should be completed in 2019 weather permitting.
3. Does the Board wish to investigate the new authority that permits electric aggregation for electric customers in Hampton. It is suggested that an investigation be conducted and if the Board feels that it would be to the benefit to those living within the community a Town Meeting vote would be required.
4. It is recommended that the Board vote to require numerical tally of any votes on warrant articles including the budget under RSA 40:13.
5. We received a notice from the Municipal Assoc. The budget for the state has not been approved, and the Assoc. is warning it will be revisited on Weds. Without revenue budgets set, we can't set the tax rate. Estimated revenues would mean a possible second tax bill having to go out.

Chairman Griffin asked what the electric aggregation is. Mr. Welch explained basically a pool to buy power from another source. He referenced what is done in the Town departments. He mentioned the savings from doing it that way. He suggested a thorough investigation, then if the Board approved it would go to Town meeting.

Selectman Waddell MOTIONED that the Town do the investigation, SECONDED by Selectman Bridle.

Sel. Woolsey asked for more discussion. She asked if this would replace Unitil, and would there be stuff on poles. Mr. Welch stated all Unitil equipment would stay in place and we would just purchase the power from another place, usually at a discount. Sel. Woolsey stated she is skeptical.

Sel. Barnes stated she is skeptical as well, but we should investigate.

A vote was called on the motion.

Vote: 5-0-0

Selectman Woolsey MOTIONED to require numerical tally of any votes on warrant articles including the budget under RSA 40:13, SECONDED by Selectman Waddell.

Vote: 5-0-0

Sel. Woolsey asked what date the dredging would start. Mr. Welch stated sometime in Oct. and by statute it should be finished by Feb.

Sel. Waddell stated that people should contact their reps regarding the state budget issue. Mr. Welch stated he notified all of our representatives.

Sel. Bridle mentioned that the gentleman discussed the LED lights that were out and Mr. Welch said he had a note on it. Sel. Bridle also mentioned the ones moved and Mr. Welch stated he had a note on that as well.

VII. Old Business

1. Sports Betting Warrant Article

Mr. Welch stated how the article should read, (in a question) by statute. He said someone should let people know what it is, usually the person wanting the article. He stated he had talked to someone about it and said they need to get the word out, but it would not happen unless the Town voted for it. The money goes towards school appropriations.

Sel. Bridle asked if it would be a selectman sponsored article or a petition. Mr. Welch stated it can be done either way and Sel. Bridle asked when they (Selectmen's) had to be done. Mr. Welch stated selectman articles by Jan. 10th, and so do the petition articles. Sel. Bridle stated that someone who wants this should get all the information to the Selectmen. Mr. Welch agreed and noted he supplied the Board with the statutory regulations.

Sel. Bridle stated he felt that this should be a well worked petition article. He said he didn't feel he could speak on it and it should be someone who could.

Chairman Griffin stated he felt it should be a selectman's article because they did the same with the keno.

There was general discussion on explaining what this is, and Mr. Welch stated the Selectmen would be required to hold a public hearing and that someone should be willing to come and explain.

There was general discussion on holding a public hearing, the regulations on having one and how many to have.

Sel. Waddell stated it is very complicated and certain things need to be explained, like what is retail. There was general discussion on it being a Selectmen's article and the need for great explanation from people who have the expertise. Chairman Griffin stated the need to know what the Town would be getting. He asked if there needed to be a vote, and Mr. Welch said he thought it was too soon and they needed to gather the information for the public hearings.

Sel. Woolsey stated she was not in favor of it being a selectman sponsored article.

2. 15-day extension for the 2019 MS1 Report

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Mr. Welch stated they are finishing the reval and it should be on the Oct. 7th agenda, and that is an appropriate time frame to get things done for the tax rate. He stated he is not concerned with this, and the extension is needed to avoid a fine.

Selectman Waddell MOTIONED to APPROVE the request for the 15-day extension for the 2019 MS1 Report, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Sel. Bridle asked how it went with people coming in about assessments. Mr. Welch stated it was light, it was still ongoing, but they are finishing up. Sel. Bridle said he heard it was down 3 or 4 percent and Mr. Welch said he thought 3 percent was a good figure. Mr. Welch discussed the abatement process. Chairman Griffin stated he thought the process went well and he heard from several people regarding that. He asked if Mr. Welch had heard of any substantial increases and Mr. Welch said no. Chairman Griffin said he had and there was some general Mr. Welch stated that would happen if a major improvement happened to the property. There was discussion about commercial land.

Sel. Barnes asked about the values listed on vision saying they say 2019 but are indeed 2018. Mr. Welch stated it had been changed so Vision must have reset them back. He stated he will deal with it in the morning.

Sel. Barnes asked Mr. Welch if he felt they were fine to wait till the Oct. 7th meeting and Mr. Welch replied yes, normally the tax rate is not set till end of Oct. or beginning of Nov. with payment date in early Dec. He stated we will be on it to get it done timely.

3. Appointment to represent the Town to serve on the Commission on Drinking Water established by HB 495, Chapter 329:1, Laws of 2019

Mr. Welch explained the opportunity for someone to serve on the commission, and he said it would be a valuable thing for the Town to do, and to have that voice.

Chairman Griffin stated no one has volunteered. There was general discussion on time frames and possible interested people.

Sel. Bridle asked to send a note to David Wood to see if he is interested. Chairman Griffin stated they will revisit next time and all look for someone if not filled.

VIII. New Business

1. Award of Printing of Annual Report & Waivers

Mr. Welch discussed previous bid years and the low bidder Country Press, he mentioned their good work and the bid for 350 pages or so, 1200 copies, for a price of \$6785.32.

Selectman Waddell MOTIONED to APPROVE the Award of Printing of Annual Report & GRANTING of the Waivers, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Chairman Griffin asked about the trees that were discussed earlier, asking if there is anyway we can get those trees replaced. Mr. Welch discussed the need for pine trees, and those were the ones taken down, and after testing found to have no centers.

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Chairman Griffin asked about getting an estimate to get something done. Mr. Welch suggested the professional arborist at UNH to come in. There was agreement and Chairman Griffin stated in time for a warrant article, mentioning the cost. Mr. Welch discussed different types and that they could maybe be planted behind the sidewalk. There was also discussion on timeframe to plant trees. Mr. Welch stated he would have DPW contact UNH tomorrow.

Sel. Woolsey mentioned the damage the trees cause. She asked for caution for any future trees. There was general discussion on age and types of trees.

Sel. Bridle asked about the welcome to Hampton sign that was struck by a car. Mr. Welch stated they have contacted the insurance carrier and people to start to get it fixed.

Sel. Barnes brought up the need for a full time senior center, and the senior bridge night being corrected on the Town website.

Sel. Barnes mentioned chapter 737, reports to Selectmen, and that all Selectmen need to be notified to abide by the rule.

Selectman Barnes MOTIONED the Chapter 737 be abided by, SECONDED by Selectman Woolsey.

Mr. Welch discussed the way things were when he first arrived and why a change was made to inform people the next morning. There was general discussion on ways to notify people, texts, calls, fire horn, and how many are notified, all, 3, or sometimes 1. There was general discussion on emails, and consensus was for Mr. Welch to discuss with the Chief in the morning. (there was no vote on the motion)

Sel. Woolsey stated she felt the Board should go to meeting every Monday.

Selectman Woolsey MOTIONED to have BOS meetings every Monday except holidays, going forward, SECONDED by Selectman Barnes.

Sel. Barnes stated she thought they were meeting every week during budget season. It was stated they are and she asked when that was starting. Mr. Welch stated October 7th, and would end first of November. She stated that wasn't a budget season.

Sel. Woolsey reiterated her request to meet every week stating they are paid to do so, and to work.

Chairman Griffin stated he felt they should wait till Oct. 7th and see how things went. He called for a vote on the motion.

Vote: 1-3-1 (Barnes abstain, Griffin, Bridle, Waddell against)

Chairman Griffin discussed the possibility of extra meetings and deciding week to week. There was general discussion on budget timeframe. Mr. Welch outlined the process.

Sel. Barnes stated she had a comment prefacing that it had nothing to do with Ms. Pulliam or the finance department, but her budget information is dated 7/31/19 and that tells her nothing, she needs at least through Sept. It was stated they should have that by Oct. and Chairman Griffin stated they go through this every year.

Chairman Griffin mentioned that many people were complaining that the noise on the north wall was terrible, and that people are afraid to walk down there. He mentioned the Chief of

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Police was going to be holding a neighborhood meeting and he also stated he heard three houses have gone up for sale and renters left a place early. Sel. Waddell discussed the car club that is there and the trucks and the noise those mufflers make. The time of night was mentioned, being 2am. There was general discussion about increased patrols and Mr. Welch said he would talk to the Chief in the morning. There was general discussion about the state, and parking fees. Mr. Welch said he could talk to the state.

IX. Closing Comments (None)

X. Adjournment

At 20:38 PM, the Selectmen adjourned the meeting on the MOTION of Selectman Waddell, SECONDED by Selectman Bridle.

VOTE: 5-0-0

Rick Griffin, Chairman