

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

March 23, 2020

7:00 PM

PRESENT: Jim Waddell, Chairman
Regina Barnes, Vice-chairman
Rusty Bridle, Selectman
Mary-Louise Woolsey, Selectman
Chuck Rage, Selectman
Frederick Welch, Town Manager
Jamie Sullivan, Deputy Town Manager

SALUTE TO THE FLAG

I. Public Comment

None

II. Announcements and Community Calendar

Sel. Bridle announced for everyone to be careful out there. He announced that the Fire Dept. had a two alarm fire that day and he noted their excellent work and no injuries, and also noted the excellent work by the Police Dept., and thanked the Fire Dept.

Sel. Barnes mirrored those comments.

Sel. Rage reiterated the comments and noted being impressed with the job done, and he announced the Hampton Beach Village District meeting scheduled for this coming Friday will most likely be cancelled and a new date set.

Sel. Woolsey announced the census forms are being mailed out, noting they can be filled out online and she encouraged everyone to do so.

Chairman Waddell announced there will be a Coronavirus update later in the meeting, and noted the people he has seen on the beach have been keeping a safe distance.

III. Approval of Minutes

1. March 9, 2020 Public and Non-public Sessions

Selectman Woolsey MOTIONED to APPROVE the minutes of March 9, 2020 Public and Non-public Sessions, SECONDED by Selectman Bridle.

VOTE: 4-0-1(Rage)

IV. Consent Agenda

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1. 2020 Elderly/Disabled Exemptions Renewals: Barber, Diann; Blecziński, Robert & Patricia; Conti, Christine; Kenney, Carolann; Major, Lorraine; Marzinzik Family Trust– Jester, Marguerite; Menery, Denise; Overlock, Margaret F Family Trust ;Small, Judy A; Sullivan, Connie Revocable Trust; Sullivan, Karen M; Wall, Mary D; Workman, Harrison.
2. 2020 Elderly/Disabled Exemptions New: Drake, Robert; McGrade, Kevin M; Walsh, Janice M
3. 2020 Veteran’s Credits New: Fortin, Thomas; Kimball, Bruce & Susan; Skrabut, John & Mary Lou; Walsh, Janice
4. 2020 Veteran’s Credits Renewals: Alker, James & Alice; Anderson, Duncan Jr.; Andrews, Thomas & Diane; Aoki, James; Aoki, Anne; Blume, Gerhardt & Lynn; Hanglin, Family Trust – Hanglin, Elaine; Hanglin Family Trust – Hanglin, David; J. T. Emerick Revocable Trust; Lake, Michael; Macaskill, Donald & Nancy; Maloney, Daniel & Alice; McCarty, Sean; McGrail, Donald & Barbara; Mede, James L & Maryann; Philbrick, Terrance & Julia; Rackliff, Brian & Carol; Schlis, Simeon & Nancy; Souza, Bernard & Mary; Trefethen, Donald & Patricia; Amarosa, Robert; Baker, Peter; Benz, Peter & Carol; Fatello, Cory & Ralph; Kingston Living Trust; Macnevin, Neil & Ruth; Malizia, Michael & Susan; Marzinzik, Family Trust, Marzinzik, Robert; Marzinzik, Family Trust, Jester, Marguerite; McDermott, Jane; Noyes, Lori-Jean; Pierce, Michael; Scatamacchia, Gene & Kathleen; Schneider, Maureen; Simpson, Jackson G; Smith, Audrey M & James R; Tierney, Claire; Weber, David; Wilcox, Justin; Molis, Christopher & Anne; Yiannacopoulos, Demetrios.

Selectman Bridle MOTIONED to MOVE the Consent Agenda, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

V. Appointments

1. Chief Sawyer, Emergency Management Manager
 - a. Covid-19 Update

Dep. Town Manager James Sullivan joined Chief Sawyer for the update. Chief Sawyer discussed the governor’s news conference and the change of the number for gathering amounts being reduced to 10. He noted the actions for prescription medicines. He discussed going forward with the situation of the beach, being in contact with Commissioner Stuart of the Parks, noting the closing of the north shore area to parking after 7pm due to some people not following the rules. He noted further issues with the rules would lead to a possible shut down, and referenced officers asking people to move along and that being successful. He noted things will get more problematic with the warmer weather and people will have to follow the rules, and people congregating in groups will not be tolerated. He discussed that as this goes on, there will be a toll taken on first responders and public works, and he noted the great job the Fire Dept. did with the fire earlier today. He discussed the people’s worries about the Covid-19 issue and noted protocols for employees, and stated they are taking place. He stated that the first death from the virus has been reported and was from Hillsborough County.

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Sel. Barnes asked about the pending test cases, being 8 or 9 hundred and the answer was yes, the labs have been overwhelmed and there are state and private labs, with results being in 3 to 5 days and even longer.

Sel. Bridle asked about businesses being open and people standing in lines, and the answer was it is being documented and businesses are being asked to be responsible, noting that a number of businesses are doing call ahead and delivering to vehicles or directly to people at the door. The Chief reiterated that as the warmer weather hits, there will be more issues with takeout places and lines, and noted that businesses that are opening soon for the season will be contacted regarding this. Dep. Town Manager Sullivan noted a list on social media of restaurants open for takeout, and Sel. Bridle noted there is a website for it as well.

Sel. Rage asked if the parking limit for 6th to 19th street is making people move to the main beach, and the answer was that after a drive around to see, that was not what was happening.

Sel. Barnes asked if the ten people limit was in effect as of now, and the answer was yes, it was announced today. She noted we need to make sure people know, as that is quite a difference, and if we have another day like Saturday, it will be an issue. Dep. Town Manager noted it is the ten people being within the six feet limit and noted people are encouraged to get out and walk and exercise but with caution, reiterating that it is an ongoing issue, always being looked at.

Chairman Waddell asked if the parking limit of 7pm is set in stone for the whole summer, and the answer was it is being looked at week to week, noting daily contact with the commissioner, and their staffing levels and signage help if necessary. The chief noted there will be help if crowd management is needed.

Dep. Town Manager gave an update of town operations, noting things have gone as well as can be expected. He noted the public has been tremendous, noting limited public at the town office and online transactions and scheduled appointments. He discussed plans for remote work being done at home and offices rotating personnel, asking for people to be patient. He commented on being proud of all of the staff, and discussed all of the adjustments being made and them all working out nicely.

Sel. Bridle commented about a resident who called the town office and got a dated message and the Dep. Town Manager noted it is all being worked on and are solving issues as they come up.

Sel. Barnes commented that the Town of Hampton website is excellent with information about all updates as is the Town's Facebook page. She encouraged people to go to the website for issues without any of the panic, noting that is an issue on social media. She discussed the cases in Rockingham County, noting its heavy population and its borders. She noted if someone needs something please call, and there is always someone at the police station, and encouraged people to remain calm. Dep. Town Manager Sullivan reiterated that and discussed the Rec. Dept. being a point of contact for anyone wishing to volunteer and for anyone needing help, and as social media directors for answering questions, PSA's and getting out information.

Sel. Woolsey commented this happening off season as opposed to the summer and the chief noted no one knows when this will be over.

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Dep. Town Manager Sullivan commented on hoarding, asking people to just take what they need.

Sel. Bridle encouraged people to check on your neighbors and those in need, also encouraging contact by phone.

Chairman Waddell commented that the PSA's are excellent, and Ch 22 is getting the job done. He asked about volunteers and possibly putting someone at risk, and the answer was they will be coming up with solutions to avoid any risk and noting the creativeness of solutions being worked on daily, highlighting the school bus drivers.

2. Jen Hale, DPW Deputy Director
 - a. Lafayette Road

Ms. Hale gave a brief update on DPW and noted they are also closed to the public, and encouraged people to go the DPW page on the website for applications and information. She noted the department is still all working and all daily operations are ongoing. She noted the transfer station is open and asked for patience as they are limiting the numbers that can go in at one time, and to give people space when necessary.

She discussed the Lafayette Road issue, referencing memo's to the Board regarding such, noting the prior bid process and it's coming in at almost 2 million dollars. She discussed talking about possible options and discussed the warrant article expiring in ten days, with no one under contract. She discussed the option of milling and paving and the current contract with Brox. She opened the options up for discussion.

Sel. Barnes noted the warrant article expiring, and having to do another one later. Ms. Hale explained the milling and paving process. She also discussed the funds were for the capital improvement fund, not a separate appropriation, noting no funds have been expended and the money would remain. Mr. Welch agreed.

Sel. Bridle asked about the drainage, and the answer was not great, or it wouldn't need replacing, noting old connections, also there is not a severe flooding issue due to previous repairs. He noted with all that is going on, he thinks it makes good sense to mill it and pave it and let the businesses recoup and come back at it next year.

Sel. Rage asked about the cost, and the answer was estimated at the \$300,000.00 range.

Sel. Woolsey commented that she trusted the DPW's judgement.

Chairman Waddell commented he wanted people to know why this has happened, it not being that DPW dropped the ball. Ms. Hale discussed the entire process of the project, noting the stop and starts, particularly with the Force Main project having been done. She noted not anticipating the bid to come in \$500,000.00 over, referencing the night work and sidewalks among other things, also noting there was only one bid.

Sel. Barnes commented on the hard work done on the project and asked if we had the money to do what is recommended and the answer was yes. Mr. Welch explained this is adding to the current paving contract, we do have the money, and he reminded the Board of the 5 year hiatus involved after a road has been repaved. He noted it would have to be worked on in conjuncture with other projects. Ms. Hale noted receiving an email and discussed that night work would add more money to the project, and reiterated that being a reason for only one bid.

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Sel. Bridle asked how long the road would have to be shut down to do the milling and paving and Ms. Hale discussed that it would hopefully be done with one lane open and detours if done during the day. She stated she needs a motion to reject the bid.

Selectman Barnes MOTIONED to REJECT the Bid for Lafayette Road, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

VI. Town Manager's Report

Mr. Welch noted that it has been quite a week. He noted Town Meeting brought a lot of action and on June 9th, the Town will take over the operations of the cemetery, and is working on the regulations.

1. Tax Anticipation Note

Mr. Welch noted the TAN process and under federal the limit of \$4 million dollars and more borrowed would require paying tax on. He will be contacting US Senators for a possible exemption to that due to the current circumstances.

Selectman Bridle MOTIONED to authorize the Town Treasurer to make application to the Bank to begin the process of obtaining a tax anticipation note for 2020 for approvals by the Board of Selectman and the Town Treasurer in accordance with the Town Meeting vote under Article 16 of March 12, 1994, RSA 33:7, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Mr. Welch discussed the encroachment agreement with the DOT, referencing the motor vehicle accident that destroyed the Welcome to Hampton sign on the North Hampton line. He stated they now have the permit to put it back up, noting its exclusions. He noted with agreement, he will sign to get it back up and consensus was agreed upon. Mr. Welch noted the design approved was as the original sign.

Mr. Welch discussed the proposed crossing agreement with DOT for the Hampton Branch Railway Corridor, noting the lines for the sewer department. He stated it has gone to Town Council for approval with that expected.

Mr. Welch discussed the Governor's executive orders, #11, 12, & 13 of which the Board has a copy, which deal with the C19 crisis we are currently experiencing. He also noted Governor Baker of Massachusetts's proclamation of which they also have a copy. He noted reviewing the warrant article budget that was passed at Town Meeting, and discussed those from other funds that don't need to be raised with taxes. He highlighted Winnacunnet Rd, the Solid Waste new contract, the road paving, the human service agencies, the emergency communications, the Recreation special account, the Police forfeiture, Cemetery work, and the petition articles for cemetery markers and Step Up Parents, also noting all of their dollar amounts. He discussed several projects that have a potential hold, noting Locke Road, the DPW equipment, except for the loader which needs extensive repair, the flood control design, the High and Mill streets intersection, the DPW offices, Fema, the transfer station, the town office heating system, and the pick-up for the Bldg. Dept. and the Conservation account, also noting all of those amounts. He commented that the plan here is to be flexible,

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depending on what is received for tax money, to have funds available should be needed, as the current economic crisis pertains.

Mr. Welch discussed the fire at M street, the Board having received the report.

Mr. Welch discussed the form M2-32, needing to be signed to file with the state of NH.

Mr. Welch discussed the amount of emails received and the questions. He also noted what is being done at the town office, to keep people separated.

Sel. Bridle stated an excellent job is being done. He discussed being a fortunate town with an undesignated fund balance, and the real estate and trust funds. He wanted to let taxpayers know that we try to be prudent all along and that will show when needed.

Sel. Rage asked if it is possible to borrow from ourselves, the trust fund, and asked about that, rather than a bond. He referenced a loan the Village District did. Mr. Welch explained the statute that says when we pay ourselves back, it must be at the same rate of interest as being earned now, which is much too high for us to pay back. Sel. Rage asked about the cost of the bond process and legal fees and Mr. Welch explained this has been researched in the past and the cost is greater to borrow from ourselves. Chairman Waddell reiterated that position. Sel. Bridle reiterated because of the funds we get a better rate for borrowing and Mr. Welch noted the Town's AAB rating, the second best in the state.

Sel. Woolsey commented on Mr. Welch's expertise, and commended him on the work he has done for the fiscal well being of the community.

Sel. Barnes commented on the undesignated fund balance, noting some projects Mr. Welch listed are from there, and realizing it is taxpayer money, just money that hasn't been used yet, and is now being used in a way to be beneficial to everyone in Town, and if needed will be able to help the taxpayers when it is time to set the tax rate. She noted the Town is in excellent financial shape and Mr. Welch is a true fiscal conservative, and it is very good to see. She asked about the notice from Waste Management about increasing our rates and Mr. Welch noted it is a part of the contractual obligation, and, noted that contracts for solid waste will need to be looked at soon.

Sel. Woolsey clarified that the undesignated fund balance is money that taxpayers have already paid, it is money that has been set aside.

VII. Old Business

Sel. Woolsey stated she would like to see us communicate with Parks and Rec. in Concord, that we will no longer pick up their waste on the beach. She expressed her concern for DPW employees and vehicles. She commented that she sent an email to Chairman Waddell on March 21st, asking for time in a non-public session. She noted he wrote back stating there was not a non-public planned, and the need for being more transparent, noting she agreed. She began a discussion about two employee contracts.

Chairman Waddell ruled her out of order and she challenged. Sel. Barnes seconded for the Board to decide. Chairman Waddell asked the Board to rule and Sel. Barnes stated she had discussion. He noted it is an undebatable ruling.

The ruling for the challenge was 1-3-1, with Bridle, Waddell, and Rage against and Barnes abstaining.

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Chairman Waddell commented on operating with order, and not have shouting matches. He noted he ruled as he did because the issue has been decided in the past with legal, and it stays as is.

The discussion between the two continued. Chairman Waddell stated he was moving on.

Sel. Barnes stated she had old business. She discussed a statement she made before the election about hoping that the majority of the next Board was not going to grind axes, because it gets nowhere for the taxpayer. She reiterated that what's done is done, we are all the good guys, on the same side, and we need to work together for the taxpayers, and think of the future.

Sel. Woolsey talked about failure to inform the fellow board members. Chairman Waddell stated if she wished, she should file a complaint against the Board, but it will not be discussed tonight.

VIII. New Business

Sel. Rage asked if the Town will be doing something for taxpayers who are not able to pay their bill. Mr. Welch commented that the statute works automatically, but the Board may waive interest at the time of the Town taking the property. He asked when does interest start and the answer was 30 days after the bill is issued. He asked about extending that and the answer is no, it is a statute. He asked if we can change the interest and the answer was no, it is also a statute. Sel. Bridle asked about asking the state for changes and Mr. Welch noted they just had, it was 18%, and it is now 12%.

Chairman Waddell commented about NY and those wanting to give a break on taxes, but they also need the money, as we do, but it is something we need to look at. Mr. Welch explained that in 12 years they have only taken one property for non-payment, and they look at each case individually. Sel. Rage noted he is not talking about down the road, but the 12% due now, people need more time. Mr. Welch explained they have three years and a day. Sel. Bridle asked about abating at anytime and Mr. Welch explained that technically you can abate at any time, but accounting for it with the state would be the problem, and another taxpayer could possible sue. There was general discussion on taking of property and a governor's order.

1. 2020 Sewer Abatement Rate

Mr. Welch stated the total dollar value \$104,437.00 and that is the tax computation of everyone who does not have sewer.

Selectman Barnes MOTIONED to APPROVE the 2020 Sewer Abatement Rate, SECONDED by Selectman Rage.

VOTE: 4-0-1(Bridle)

2. Concord Housing Appeal Board

Sel. Barnes noted receiving the new Planning and Land Use regulations. She commented she feels Hampton does a great job with anyone needing a variance, and hopes it continues, as we need to solve these items on a local level, and not a board in Concord. She commented not liking that the board is appointed for a term of five years, and that they can overrule local

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municipal boards, and you can appeal to this Board as opposed to going to court like is done now, and she noted how nervous it makes her. She gave an example of how this Concord board can overturn a local decision.

Sel. Bridle agreed with her comments.

3. Town Manager and Deputy Town Manager 2020 Goals

Chairman Waddell noted he listed this on the agenda as we should have goals and should be evaluating on those goals. He suggested people think of goals that can be discussed at a future meeting.

IX. Closing Comments

Sel. Barnes asked about entertainment license renewals, asking about a possible delay. There was general discussion and Mr. Welch stated what was approved at Town meeting was applications must be received by March 31st, and if they do not, it is not a renewal, it is a new license and he suggested moving the date to when the executive order by the governor says the business can reopen.

Selectman Barnes MOTIONED to APPROVE the Entertainment License Renewal Date Coincide with the Governor's Return to Business Executive Order, SECONDED by Selectman Bridle.

VOTE: 5-0-0

Sel. Rage stated for everyone to stay safe.

X. Adjournment

At 20:18 PM, the Selectmen adjourned the Public Session on MOTION of Selectman Bridle, SECONDED by Selectman Barnes, which passed unanimously (5-0-0).

Jim Waddell, Chairman