

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

July 1, 2019

7:00 PM Public Meeting

## SALUTE TO THE FLAG

### I. Oath of Office

#### 1. Sean Gannon Fire Captain

Town Clerk Shirley Doheny gave the Oath of Office to Sean Gannon

#### 2. Buck Frost Fire Lieutenant

Town Clerk Shirley Doheny gave the Oath of Office to Buck Frost

\*\*Note, after a 5-minute camera break, Chief Ayotte and Dep. Chief Cutting are at the table.

#### 1. Acceptance of NH Homeland Security Program Grant – Fire Department

Chief Ayotte was discussing the Dept. of Homeland Security Grant with regards to the Fire Dept. needs. He explained the need for training, and Dep. Chief Cutting reaching out to DHS. He then explained what DHS had available for funding and what the funding would be used for. The grant amount is \$31,000.00. He is asking for permission to accept the grant.

Sel. Woolsey asked about water rescues and the Fire Dept. boat and if the State is helping out. Chief Ayotte said the grant is from the State and discussed the State run lifeguards. Dep. Cutting discussed the radio situation and communication between the department and the lifeguards. Chief Ayotte discussed that trauma situations are handled by several entities working together. Sel. Woolsey asked about lifeguards coming in from China and interpreters that might be needed. Chief Ayotte stated that was news to him and he believes they are fully staffed.

Selectman Bridle MOTIONED to Accept the NH Homeland Security Program Grant – Fire Department SECONDED by Vice-chairman Waddell.

VOTE: 5-0-0

### II. Public Comment

Charlie Preston, 47 Glade Path: He stated he is waiting for a copy of the JOP. He mentioned the Ashworth Ave lot and the State Parks and ticketing. He also discussed the pre and post seasons with regard to parking.

Dave Hartnett, 339 Ocean Blvd: He expressed his outrage at the some of the Select Board's and the Budget Committee's conduct in recent months. He discussed he had researched the Assistant Town Manager position. He stated what he found in his research with regard to

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contracts and Mr. James Sullivan's qualifications. He discussed the greatness of the Town of Hampton and called on the Board to do the right thing.

Dave Morrison, 30 King's Highway: He referenced the June 17<sup>th</sup> Board meeting. He stated such conduct needed to stop. He discussed his knowledge of Mr. Sullivan and that personnel matters should be discussed in closed sessions. He also discussed the Coakley landfill. He stated no one is irreplaceable.

John Tinios, Owner Galley Hatch: He stated he is upset at the situation with Mr. Sullivan. He stated his knowledge of Mr. Sullivan and his family. He stated the Town should keep its promise to Mr. Sullivan.

Dan Lanio, 395 Lafayette Road: He stated his knowledge of Mr. Sullivan. He also discussed what a good town Hampton is, and that he supports Mr. Sullivan and is looking forward to seeing him become Town Manager.

Bob Preston, 339 Ocean Road: He stated he would like to speak about Mr. Sullivan. He discussed Mr. Sullivan's qualifications, especially with regard to being Town Manager.

Brian Warburton, 24 Sanborn Road: He mentioned the discussion of families being picked on. He stated that Sel. Woolsey was part of getting the transfer station open. He stated his opposition to non-union raises. He discussed the solid waste committee. He stated the discussion about Mr. Sullivan isn't about liking him or his qualifications, it is about the contract that makes him Town Manager. He referenced Chairman Griffin making a statement regarding the Dep. Town Manager position. While making another comment, Chairman Griffin told him his time was up. Chairman Griffin then responded to the reference and stated it wasn't intended as was stated and it was his opinion. (time 44:25)

Richard Sawyer, 41 Vanderpool Drive, (speaking as a resident): He addressed an issue Mr. Warburton brought up. He discussed a memo he wrote about conflict of interest and it being sent to the Chairman, but brought up in public by Sel. Woolsey, and that transparency is for all.

Chairman Griffin stated that what several people spoke of, is not up for reconsideration, and will be put to bed tonight.

### III. Announcements and Community Calendar

Sel. Waddell mentioned it is 4<sup>th</sup> of July week, be safe, and don't do fireworks.

Sel. Bridle reiterated it is the 4<sup>th</sup>, be safe, have fun, and take care of one another.

Sel. Barnes discussed the evening for Rick Middleton, a Hampton resident who's Bruins jersey was retired, will be held on July 16<sup>th</sup>, at the Seashell. She also mentioned his work with the skate park. She also spoke of the prior discussion and she clarified her previous comments regarding what she stated publicly. (time 47:56)

### IV. Approval of Minutes

#### 1. June 17, 2019

Vice-chairman Waddell MOTIONED to APPROVE the minutes of June 17, 2019 SECONDED by Selectman Bridle.

VOTE: 5-0-0

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V. Consent Agenda

1. Dance Hall Permits: Casino Ballroom, Cloud 9 Bar & Grill
2. Dance Hall & Pool Table Permit: Charlie's Tap House,
3. Heritage Appointment: Ann Carnaby
4. License for Coin Operated amusement Devices: D.M. Sales Corp., Funarma Inc., Tidewater Campground LP
5. Parade and Public Gathering License: Bikes & Beers Smuttynose 07/20/19
6. Pool Table Permit: Water's Edge Yacht Club, LLC.
7. USS Virginia Committee Appointments: Mark Chooljian, Bruce Aquizap, Jaqueline McCallum, Chris Koutalidis

Selectman Barnes MOVED to APPROVE the Consent Agenda SECONDED by Selectman Bridle.

VOTE: 5-0-0

VI. Appointments

1. Chief Sawyer, Police Department
  - a. C Street establish 10-Minute Parking Zone – Farr's Chicken

Chief Sawyer discussed Farr's Chicken asking for a 10 minute parking space for the purpose of food pickup traffic. He gave a brief history of the space involved. He mentioned a concern of the size but after measuring and researching believed a 20 ft spot could be made. Chairman Griffin clarified where the spot was. Sel. Waddell asked about the cutout and the Chief responded it was no longer used.

Selectman Barnes MOTIONED to APPROVE the establishment of a 10-Minute Parking Zone at C Street – Farr's Chicken SECONDED by Selectman Bridle.

VOTE: 5-0-0

1. Ed Tinker, MRI Contract Assessor
  - a. 2018 Abatements

Mr. Tinker presented 6 abatements for approval.

Vice-chairman Waddell MOTIONED to APPROVE the 2018 Abatements SECONDED by Selectman Bridle.

Sel. Woolsey mentioned a memo regarding people who were upset by Assessing visits. Mr. Tinker stated it had been taken care of. He mentioned a listing that had names twice and restated it had been take care of.

VOTE: 4-0-1(Woolsey)

- b. Assessing Department Discussion

Mr. Tinker was joined by Mr. James Sullivan. Chairman Griffin asked the it be clarified what MRI is. Mr. Sullivan explained that after Mr. Tinker left the Town employment they explored options and MRI is a private company that offers assessing services. MRI is also the company Mr. Tinker became employed by. They presented a proposal to the Board and the Board went with that proposal. He stated they also made staffing changes in the town's Assessing office to meet the needs of the residents. He also explained the process for a

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resident to meet with an assessor. Chairman Griffin mentioned there were other options and Mr. Sullivan expounded on those. A three year agreement was entered into with an out clause if needed. Mr. Tinker discussed his contact with the Assessing staff and that the processes that were in place before are continuing. He also mentioned the re-val is happening. Chairman Griffin asked Mr. Sullivan if he felt the need for Mr. Tinker to be there more than one day a week. Mr. Sullivan discussed the process and that he is not aware of resident complaints. Chairman Griffin opened to questions from the Board.

Sel. Woolsey stated she prefers to go back to a full-time assessor.

Sel. Barnes mentioned feedback she had heard and feels the need for the Board to meet with the entire Assessing Department. She mentioned questions she had and that they had been answered by Mr. Tinker.

Mr. Sullivan mentioned there are two separate issues, how MRI is working out, and employee issues. He stated any employee issues needed to be discussed in a non-public setting.

Chairman Griffin mentioned having a meeting with the employees. There was discussion on how to make that happen.

Sel. Waddell asked how many towns use MRI, and Mr. Tinker stated 21. How many have dropped MRI, none that Mr. Tinker knows of, and no written complaints. He discussed they needed facts to deal with and not hearsay. Mr. Sullivan stated that there are no complaints that he knows of at this time. He also discussed the cost savings.

Mr. Welch mentioned other options and possible issues using something else.

Sel. Bridle and Mr. Sullivan discussed the two separate issues of MRI assessment and the re-val and Sel. Bridle stated he knew of no complaints. Chairman Griffin stated he knew of no complaints.

Sel. Barnes stated she felt the issue is the outsourcing of assessing. She clarified the physical position of the Assessor is the question, not the company of MRI, as assessing does more than values.

2. Ann Carnaby, Rockingham County Planning (RPC) Commissioner
  - a. RPC update

Ms. Carnaby noted there was a recent annual meeting. RPC has a new logo. She brought a new report and brochure for the Board. There was also an awards presentation at the meeting. The Daniel Quinlan award was presented to Jay Diener. She highlighted the reasons for his receiving the award. She stated two members of the RPC will be at the Planning Board to help with a Master Plan Seminar on July 17<sup>th</sup>. She discussed the law of having a Master Plan.

Sel. Woolsey discussed impact fees and extraction fees.

Sel. Barnes asked about surplus land. Ms. Carnaby directed to Jason and Rayann for more information. Mr. Welch stated some of the process.

Sel. Bridle mentioned an announcement. Two Marines from Hampton passed away last week, Warren White and Charles Scofano.

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3. Jamie Sullivan, Deputy Town Manager  
a. Non-Union Employee Compensation

Mr. Sullivan stated he was there to answer any questions regarding a couple of issues, the first one being the non-union employee's compensation. He gave a brief overview of memos that had been sent regarding the merit issue, there is a line item called merit in the personnel line of the current budget, and the Board's options regarding the merit increase to the non-employees and whether the Board wants to utilize it.

Sel. Barnes had no questions, but she is not ready make a motion; because of last year, of it not passing last year, it is not proper to it for this year going forward, and she not ready to go forward with that.

Chairman Griffin asked Mr. Sullivan how he felt about that and he answered it is a Board decision, a potential morale issue, and its a challenge we have in a default budget, and its appropriate to use the money, and reward the work our the folks are doing.

Sel. Waddell agreed with Mr. Sullivan and discussed the good economy and how he feels we should reward our good employees. He is 100% for it.

Sel. Bridle stated he agreed. He discussed the wage study we had done and how we should be getting closer to each. He also discussed the good economy and our valued employees, and not penalize them when we have the money. He is in favor of it.

Chairman Bridle asked if an agreement could be made in public and Mr. Sullivan said yes. He also clarified the next step in the process.

Sel. Woolsey asked about a salary issue with a particular position she felt got an \$18,000.00 raise. Mr. Sullivan stated it was a promotion, not a raise and he referenced the MRI study on wages and his prior recommendation regarding salary ranges. He discussed Hampton has always had one number for positions, we did not have a range.

Sel. Waddell agreed with Mr. Sullivan that the position discussed was a promotion not a raise and the previous staff member was grossly underpaid, and it is a disservice to say it was a raise.

Selectman Bridle MOTIONED TO APPROVE proceeding with Spending the Merit Line Item (\$25,000)in the Budget for the Purpose of Non-Union Employee Compensation, SECONDED by Selectman Waddell. (time 1:30)

Discussion:

Sel. Barnes discussed the wage study. She questioned the fairness of the list of employees. She raised the question of a possible bonus, (merit and performance based). She stated she agrees with the memo presentation (May9th) but also needs to listen to what the Town says and the Town said no. She mentioned DPW's budget needs in this default budget and doing what needs to be done for the people of Hampton that she represents, meaning taxpayers, not just employees.

Chairman Griffin stated they will discuss how they would utilizing the line item after the vote on whether or not to use it. He restated the motion.

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There was general discussion on waiting till the next meeting to vote on the distribution of it,. Mr. Sullivan asked what else is needed. Sel. Bridle asked for all the (May 9<sup>th</sup>) memo information again. Mr. Sullivan again went over what was in the memo. (time 1:35).

Sel. Waddell stated there was a motion on the table. Sel. Woolsey asked for a restatement.

Selectman Bridle MOTIONED TO APPROVE proceeding with Spending the Merit Line Item (\$25,000) in the Budget for the Purpose of Non-Union Employee Compensation, SECONDED by Vice-chairman Waddell.

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

b. Human Resources

\*\*\*Not done at this time.

c. Solid Waste Committee Update

Mr. Sullivan gave an update on the two meetings they have had to this point. The first meeting was an introduction and an overview with questions. Packets of information were sent to committee members before the second meeting. General feedback was that it was going very well. Mr. Sullivan discussed the time frame of meeting number 3 and future meetings. Legal issues will be discussed at the next meeting.

Sel. Woolsey asked if her email to Public Works was forwarded. Mr. Sullivan stated yes. She asked about beer companies picking up used glass. Mr. Sullivan stated that is no longer done and it is just one of the issues the committee is looking at. Sel. Woolsey stated it is all glass, and the weight of it all. Mr. Sullivan discussed all of the information coming into the committee that will have to be looked at.

Sel. Barnes agreed and stated our recycling process may be in the dark ages. Mr. Sullivan restated options and looking at everything.

Sel. Waddell stated good job.

Sel. Bridle stated committee doing what it needs to do.

Chairman Griffin is looking for information from the committee to put in an article for the public to decide.

## VII. Town Manager's Report

1. Big trash weekend. Transfer station will be open Thursday. Trash pick up will be on regular schedule.
2. Letter from Aquarian regarding Mill Road. They are beginning construction this week of the Mill Road treatment plant.
3. Primex is returning a portion of our insurance premiums, \$13,527.26.

Sel. Woolsey stated she commended and thanked Aquarian for getting information out in a timely manner.

Sel. Barnes thanked them for the same and for the water leak that was taken care of.

## VIII. Old Business

1. DNCR/Hampton Joint Operations Plan

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Mr. Welch stated that the DNCR has signed a JOP with the Town. He stated it reiterates the previous plan and gave a brief summary of it. There are no major changes, and they are still working on the beach sweepings. He also discussed a previous comment regarding parking all year and stated the State can charge all year long. Chairman Griffin discussed Boston parking, and Hampton costs are lower. Sel. Woolsey mentioned the State and their position about the sidewalks on the West End. Mr. Welch stated their making the sidewalks ADA compliant, but that is not part of the JOP and that organization. Sel. Woolsey stated she wanted nothing to do with the JOP. She mentioned the DPW having to be called in to clean the State park (last Sunday). She mentioned the JOP being thrown together. She stated she feels the DPW should have nothing to do with the State park. She stated she took issue with page 7 that discusses Town police with regard to State parks (time 1:57). She stated it was an insult to taxpayers to have Town police enforcing State parks.

Sel. Barnes commented on the last Sunday part of the previous comments. She stated the following Monday the beach looked great. She discussed her discussion with DPW and a miscommunication with regard to the DPW involvement in the full barrels at the beach and a solution for the future. She also stated that residents have told her that our DPW is often the ones cleaning the beach. She discussed issues with the JOP and issues with traffic at the beach. She stated she felt the taxpayers are paying all the expenses for the beach, and there are no State troopers. She stated her intent is not to sign the JOP, it being a joke. She called for a change in the way the Town does things or no one will be able to afford to live here.

Mr. Welch reiterated the situation with the trash not being removed. He discussed the upcoming holiday week and the need to make sure trash is picked up, at a cost of holiday pay and time and a half. He mentioned his discussion with the State regarding their staffing. He does not disagree that the State needs to do their pickups. He discussed trash on the West side with regards to businesses and our barrels, and also working with the State with regard to their responsibilities for trash with being short on help and their help being new. He then discussed funding and staffing of State police, and they do not have jurisdiction here in Hampton. He discussed a prior court case regarding a ticket at the beach. We do not have jurisdiction to ticket on State property.

Chairman Griffin asked for more details and Mr. Welch clarified. He stated he felt there was some progress being made with the State issues.

Sel. Waddell commented he felt uncomfortable talking about the ethnicity of any workers and should be left out of any discussion we have, asked Mr. Welch if he recommended the signing of the JOP. Mr. Welch stated he recommends approving it so there is a basis to work from with them.

Sel. Woolsey asked why Hampton is the only State park where the State does not pay a private hauler to take trash. Chairman Griffin asked if that is fact. Mr. Welch stated he knows of no other, but we do it because of past practice of previous Boards.

Chairman Griffin asked for a motion.

Vice-chairman Waddell MOTIONED to APPROVE the DNCR/Hampton Joint Operations Plan SECONDED by Selectman Bridle.

VOTE: 3-1(Woolsey)-1(Barnes)

2. Franchise Warrant Article

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Sel. Barnes stated she thinks the franchise fee is too high and that a warrant article should be prepared to get some back to the Town, or cut it in half. She asked what we, or those who have cable getting for the money. It doesn't seem like anything. Chairman Griffin stated the funds being a contract with the cable company and where do we stand with that. Sel. Waddell mentioned our attorney is looking to find someone to look at the contract situation but has been busy. He suggested waiting on this until August 1<sup>st</sup>, when the FCC will make a ruling on fees. He discussed people wanting more televised meetings and the costs incurred. He also discussed the progress and timeline of the contract. Mr. Welch expounded on the FCC issue. He believes the fee will be going away, and then more information will be needed with regard to budgeting, and taxation, and the possibility of the channels going away. Chairman Griffin discussed the cost of representation and being prepared. General consensus was to wait on a possible warrant article.

Sel. Bridle mentioned that a letter went to the State representatives about coming in, that will be the time to talk about trash.

Sel. Barnes asked about emergency warnings and clarified it was Comcast who did that, not Channel 22.

Chairman Griffin thought someone would be making a motion tonight and asked Sel. Woolsey if she were doing so. She stated not tonight.

Chairman Griffin made a statement that the contracts that were discussed in public comments are legal and are not being rescinded. He stated the need to move forward. He and Sel. Woolsey discussed her role in the last contract vote. Chairman Griffin stated the Board's intention to go ahead with the contracts and to support Mr. Welch and Mr. Sullivan. Sel. Woolsey stated she agreed with his statement on Mr. Welch, but not his other one.

#### IX. New Business

\*\*\*Note, item #1 done earlier in the evening.

1. Acceptance of NH Homeland Security Program Grant – Fire Department
2. 2019 Dog Warrant

Mr. Welch stated the warrant needs to be done to authorize the Town to do what needs to be done with regard to notices. He discussed dog licensing and fees if they are not done. Sel. Bridle asked about deceased dogs and Mr. Welch stated there needed to be evidence.

Selectman Woolsey MOTIONED to APPROVE the issuance of the 2019 Dog Warrant SECONDED by Vice-chairman Waddell.

VOTE: 5-0-0

#### X. Closing Comments

Chairman Griffin restated his position on moving forward with the contracts. Max Sullivan asked him if the Board is dysfunctional. He stated he felt the Board is not dysfunctional.

Sel. Woolsey stated that if the Town has a personnel policy, the Selectmen of the Town should abide by said policy.

Sel. Barnes agreed with Chairman Griffin that the Board is not dysfunctional.



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At 9:33 PM, the Selectmen voted on MOTION of Selectman Woolsey, SECONDED by Selectman Barnes, to move into non-public session under RSA 91-A:3,II,(e), which passed unanimously (5-0) by Roll Call.

PRESENT: Rick Griffin, Chairman  
Jim Waddell, Vice-chairman  
Mary-Louise Woolsey, Selectman  
Regina Barnes, Selectman  
Frederick Welch, Town Manager  
Mark S. Gearreald, Town Attorney  
Edward C. Tinker, Contract Assessor

[Minutes Sealed]

At 9:40 PM, a MOTION was made by Vice-chairman Waddell, SECONDED by Selectman Bridle to leave the non-public session, which was approved unanimously (5-0).

At approximately 9:41 PM, back in Public Session, Selectman Bridle moved to seal the minutes of the Non-Public Session, SECONDED by Selectman Woolsey on the basis that disclosure of these minutes could jeopardize the actions to be taken and affect reputations.

This motion to seal the minutes passed unanimously (5-0) by roll call vote.

## XII. Adjournment

At 9:42 PM, the Selectmen adjourned the Public Session on MOTION of Selectman Bridle, SECONDED by Selectman Woolsey, which passed unanimously (5-0).

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Rick Griffin, Chairman