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April 13, 2015

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

### SALUTE TO THE FLAG

#### I. Public Hearing under the provisions of RSA 31:95-b,III(a) (8:42)

1. To apply for, accept, and expend unanticipated monies in amounts of \$10,000 or more under the following programs in 2015: NH State Homeland Security Program; NH Dept. of Safety; Public Safety Communications Interoperability Grants; Law Enforcement Terrorism Prevention Program; Homeland Security Exercise and Evaluation Grants; Radiological Emergency Response Grants; Emergency Management Performance Grants; United States Fire Administration Grants; Assistance to Firefighter Grant; Staffing for Adequate Fire and Emergency Response Grants; Fire Prevention and Safety Grants; Coastal Flood Hazards and Climate Change; Coastal Resiliency Grants; Aquatic Resource Mitigation; FEMA Hazard Mitigation Grant; Flood Mitigation Assistance Grant; Repetitive Flood Claim; Severe Repetitive Loss; Pre-Disaster Mitigation Grant; Assistance Program for New Hampshire Coastal Zone Communities; NH Highway Safety Agency; NH Division of Historical Resources; LCHIP Grant Program; US Department of Justice; and Office of Justice Programs.

Town Manager Welch: grants we normally receive each and every year; have to advertise by law because they are \$10,000 or more; grouped them all together so you can approve them and when they come in they can be expended.

Selectman Bridle: saved some time grouping them all together; have no problem.

Selectman Woolsey: our departments can apply for any or all of these grants and there is a minimum of \$10,000 open for us to receive in the grant process? Town Manager Welch: statute says if it is \$10,000 or more we have to hold a public hearing and we must advertise it; some are less as they come in pieces.

Selectman Woolsey: potential for numerous grants? Town Manager Welch: there are.

Chairman Griffin: in the past we would have done these all separately; at the same time of the year? Town Manager Welch: that's correct; throughout the entire year; these are the grants we would normally receive in the course of the calendar year; would pay the

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newspaper to advertise them every time they came out.

Chairman Griffin: do we expect some of these coming? Town Manager Welch: expect to see the majority of these to come through this year.

Selectman Woolsey MOVED to accept pursuant to the public hearing the provisions of RSA 31:95-b,III(a) as stated for the grants SECONDED Selectman Bridle.

VOTE: 5-0-0

## II. Public Comment Period (13:20)

Richard Reniere, 29 Highland Avenue, commented about the Selectmen's past meeting showcasing the goals of the Town and noticing the valuable employees; thanked the state representatives for their dedicated commitment to their positions and the community's voice in Concord.

## III. Announcements and Community Calendar (15:54)

Selectman Woolsey: check the Town website for updated information on the rain garden project or call the Conservation Coordinator Rayann Dionne.

## IV. Consent Agenda (16:37)

1. 2015 Veteran's Tax Credit Requalification: Alden 39 Drakes Landing 124/6/39; Bates 236 Drakeside Rd 172/1; Beaudry 51 Drakeside Rd 189/6; Bilodeau 11 Sweetbriar Ln 69/63; Binette 258 Winnacunnet Rd 205/18; Erickson 19 Portsmouth Ave 303/12; Feeney 153 Hampton Meadows 172/6/153; Fish 9 Bourn Ave 107/39; Flesher 6 Sapphire Ave 223/55; Flynn 45 Drakes Lndg 124/6/45; Forbes 6 Emery Ln 162/2; Fry 7 Taylor St 164/36; Hackbarth 4 Godfrey Ave 125/30; Hutchinson 59 Hobbs Rd 163/11; Jeffs 40 Windmill Ln 177/7; Johnson 7 Purington Lane #2 120/6/2; Johnston 660 Exeter Rd 14/16; Jordanhazy 15 Rice Terrace 144/38; Kelly 97 Mace Rd 163/38; King 4 Q St 296/64; King 2 Towle Farm Rd 124/3; Kingston 15 Cedarview Ln 88/39; Kuncho 42 Hampton Towne Ests 123/1/42; Mahler 19 Cedarview Ln 88/38; McCarthy 558 Winnacunnet Rd 223/154; Noyes 26 Hemlock Haven 138/1/26; O'Donnell 862 Lafayette Rd 71/17; Randall 20 Shirley Terr 222/2; Reed 481 Ocean Blvd #5 167/8/5; Roesch 16 Sicard St 57/32; Saari 443 Exeter Rd 37/3; Scatamacchia 41 Carolan Ave 89/45; Simms 60 Presidential Cr 194/12; Smith 373 Lafayette Rd #304 160/35/304; Sowers 10 Carolan Ave 89/47; Sullivan 12 Hampton Meadows 172/6/12; Timmins 246 Towle Farm Rd #2 154/5/2; Webb 180 Lafayette Rd 203/1; Weir 464 High St 167/1; Woodburn 5 Carlson Rd 207/13
2. Entertainment License: Ron's Landing 379 Ocean Blvd
3. Appointments: Cable: Lowney, Lowney; Conservation: Diener, Raymond, Vinther, Alternate Ciolfi; Energy: Withka, Betts; Highway Safety: Douglas; Leased Land: McGuirk; Mosquito: Kaiser; Recreation: Warburton, Cragg
4. NH Surplus Distribution Section Authorization
5. HAN use of Town Offices for Art Display

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

VOTE: 5-0-0

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V. Approval of Minutes (18:06)

1. March ~~23~~ 30, 2015

Selectman Woolsey MOTIONED to approve the March 30, 2015 minutes SECONDED by Selectman Bridle.

VOTE: 5-0-0

VI. Appointments (18:18)

1. State Senator and Representatives Legislation Delegation

Chairman Griffin: spoke with Senator Stiles and she is not feeling well and couldn't join us tonight; going to join us again in the future.

Andrew Christie: represents Hampton, Hampton Falls, and Seabrook; Chairman of the Executive Department and Administration Committee.

Tracey Emerick: represents Hampton; on Finance.

Fred Rice: represents Hampton: Resources, Recreation, and Development.

Renny Cushing: Criminal Justice and Safety Committee.

Dave Wood: Public Works and Highways.

Renny Cushing: sponsoring a bill that would require people convicted of violent crimes to appear in the courtroom during the time the sentence is imposed and the time the victims are delivering the victim impact statement; sponsored to preserve what is left of our recreational and commercial fishing industries; introduced a bill that would prevent a change in the character of a neighborhood or economics from putting people that are small fishing operations out of business; work with a lot of victims of crime; last year there were 1,131 adults that sought shelter at domestic violence shelters in the State and they were turned away because there wasn't the room.

Selectman Waddell: these guys put in a lot of time; most important to me is the relationship between the State and the Town and the financial relationship; that's what affects the tax payers the most; done a lot of work on the pollution control.

Selectman Bridle: thank you for continuing to represent us up there.

Selectman Woolsey: admire your advocacy with the criminal justice and for fighting on the pollution control.

Selectman Bean: it's a pilot program now; don't know when the pilot program ends or if the bottom will fall out; please tell us from your side where this is going; how do we get money in Hampton taxpayers' pockets.

Renny Cushing: need to build alliances with other communities; there is no counterbalance in the legislature coming from the bottom up on lawmakers from other jurisdictions; reach out to your peers and initiate Selectmen to Selectmen meetings in the Town's that are affected; start building alliances with organizations; it's making people that aren't paying their fair share pay it.

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Selectman Bean: would have sit down with Commissioner Rose and demand an explanation for the blindside and going forward in the future what is the protocol and why is that going on.

Renny Cushing: there is another figure that jumps out at me that is a broken promise in this budget process; the legislature to the House broke its promise to the tourism industry.

Selectman Bean: he spoke in his letter that the way forward for business in New Hampshire is tax breaks to multi-billion dollar corporations.

Renny Cushing: think everyone should pay their taxes fairly.

Selectman Bean: think this delegation should request a meeting with the Commissioner; get the Commissioner in line with reality.

Chairman Griffin: you've worked very hard and we appreciate it.

Fred Rice: spent two terms on the Commerce and Consumer Affairs Committee; 80% of what we do up there is non-partisan; I've prime sponsored five bills and was a co-sponsor on sixteen; Mr. McConnell asked why he couldn't drop his wife's absentee ballot off; passed in the House; went to the Senate and one Senator added language in there that made it even more complex that when it came back for the Committee of Conference they couldn't reach an agreement; put the same bill back in this year; am optimistic on this one; worked on the tax exemption for veteran's; introduced this year that all those dates be taken out of it; all veteran's should be treated exactly the same; that one was retained; letters that come in from Departments; there is no advanced notice; don't think it's fair to say Rose had it out for anybody because his opinion reflected the rest of the committees anyway; the best thing to happen to move this forward is to build a coalition of town's that have similar facility in them.

Selectman Waddell: partially that fault is ours too; we need to get out and get more people.

Selectman Bean: last year it was better choreographed and produced than this year.

Fred Rice: I was blindsided by the response of the committee.

Renny Cushing: we did pick up some support this year.

Town Manager Welch: we talked to every single municipality before that hearing; didn't get much time from when the bill was filed and the hearing.

Fred Rice: can't resubmit this now; come at it from a different angle then we could.

Tracey Emerick: last time I was on Labor; HB1 is where all the numbers are; HB2 is where all the laws are; budget contains approximately 350 laws to make the numbers work; State was facing two lawsuits and a change in Medicaid to the tune of about \$120,000,000; State lost a mental health case and it's being distributed around the State; have a liability of about \$42,000,000 that we need to pay back to the hospitals; change to Medicaid that cost the State about an additional \$42,000,000 going forward; the Governor's budget was higher than what was expected; areas that do affect the Town are room and meals tax and Governor's budget was frozen; the \$600,000 from room and meals tax will stay the same in FY16 and FY17; the additional funds that are not going to come is \$3,000,000 in FY16 and \$9,000,000 in FY17; State Police detail was cut in half at Hampton Beach; all the Block Grants are pretty much unchanged; there was supposed to be additional funds to cities and towns from the gas tax

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increase; what the Department of Transportation did was take those funds and substituted those general fund dollars that they normally give to cities and towns and called that the donations to cities and towns; as the legislators passed it, it was supposed to be on top of general funds; slashed funding for the developmentally disabled funding; taking money from the county nursing homes to make up that \$58,000,000 in the hole; State has about 330 dedicated funds; right now the budget is in the Senate.

Selectman Waddell: it's complicated; tough budget to do; eventually somebody is going to pay; taxpayer is paying; State needs to take up their responsibilities and the Town take up theirs; do that in a rational way and intelligent manner.

Tracey Emerick: working on slashing property taxes from a different direction.

Chairman Griffin: does it happen in the town that they are in or does it go in a fund that is distributed? Fred Rice: it goes into a general; State can only spend legally what they are going to bring in.

Selectman Bridle: have some cities and towns that don't want to promote tourism; then you have Hampton that does and it tends to cost us more to do that; at some point that State needs to recognize that.

Fred Rice: those little towns love to get that money; they have one restaurant and contribute little; that's who we are trying to convince.

Selectman Woolsey: with the finagling with the medical money and it has to be paid back to the hospitals; do you ever ask who did that or started that; is anyone held accountable?

Tracey Emerick: think what happened is when they go to another State's and see it going on; the copy it and shuffle it around; Feds figure it out and say you can't do that anymore; think it's been going on since matching funds.

Andrew Christie: it was going on when I was there in the 90's.

Renny Cushing: what happened was we stopped giving the money back to the hospitals.

Selectman Woolsey: in regards to the winter storms; what are we doing or not doing that is leaving us out of the loop? Fred Rice: that's from Selectmen and Town Manager straight to the Governor and Governor straight to the President.

Town Manager Welch: she didn't make the declaration; that's the problem.

Selectman Bean: it's a restriction of our money and how we can use it; State continues to cut back; it becomes alarming; other municipalities are gorging themselves; we shoulder more of the burden; we are providing services for free; and others are not and it's coming at the abuse of the Hampton taxpayer.

Tracey Emerick: the problem is the State decided they are going to look to compensate the people the same as the civilian life; the benefit packages are so great; private industry does not offer packages like that; the State level costs are out of control; in this biennium State employees have gotten 6% raises, three 2% raises; we are paying competitive wages with "civilian positions" and big benefit packages and less work hours; that formula isn't going to work in the long haul; something has to give; we're going to have to have fewer employees and contracting work.

Selectman Bean: most places are reducing because of technology; not adding.

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Chairman Griffin: the video lottery bill, will that help towns from having to support other towns for their education; would help Hampton? Tracey Emerick: yes; it's budget neutral; it will help lower taxes.

Andrew Christie: handle two areas, licensing and retirement system; speaker appointed a special committee to work on those bills; did work with two bills that dealt with part-time police officers where they wanted to exceed the thirty-two hours a week minimum and leave the maximum where it was.

Selectman Waddell: sometimes I feel like the legislative just pass bills because they just want to pass bills; glad you didn't introduce a bunch of bills.

Selectman Bridle: something that concerned me was that they decreased the amount of overtime for State Police in Hampton; they decreased it by half; if half of the force is not here on the weekends, it just increases it for our Town.

Fred Rice: they come when the Police Chief requests they come.

Selectman Bridle: they are here every weekend.

Fred Rice: they cannot come down here on their own.

Selectman Bridle: but they have scheduled a certain number of details here every weekend.

Selectman Woolsey: how dare the State of New Hampshire set up a retirement system and then bail out on the communities; we are getting zero contributions; we are running shorthanded on staff; it's inhibiting our ability to increase personnel; we can't hire fulltime employees; can't see how it's legal for the State to bail out on its responsibility.

Andrew Christie: I would agree with you; when the State went from 35% to zero that killed a lot of the communities; that's one of the reasons we had the bill to allow the part-timers to exceed the thirty-two hours.

Selectman Woolsey: the burden this Town bears with the tourism, particularly, we are dangerously understaffed; we are trapped; furious they are depriving us of the contributions that the State initiated.

Andrew Christie: the State bailed, it's a classic cost of downshifting.

Selectman Bean: support Selectman Waddell; there are too many legislators filing too many bills; support what Rusty says; counting on you to muster as we go forward next year on HB 224.

Dave Wood: a lot of what I have dealt with doesn't really affect the Town; Public Works and Highways Committee, concerned that too much of the money was going from the highway fund to the general fund of the State; the Department of Safety is spending a lot of money; we were paying for troopers to do investigative work that has nothing to do with highways; we are paying for helicopters to find people lost in the woods; all good causes but it shouldn't come out of the Department of Transportation budget; pleased we were able to approve all of their capital requests, it is the operation expenses that were cuts.

Chairman Griffin: heard that DOT doesn't have a director at this point? Dave Wood: they are in between commissioners; they have an acting commissioner right now.

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Fred Rice: we have a request for you; Representative Cushing and I have talked: would like to work with Chris Muns and we would like to open up another public access channel; people could come and do their own shows.

Chairman Griffin: maybe you could work with our Cable Committee.

Renny Cushing: draining the rainy day fund guarantees that our bond rating is going to go down the toilet; left \$76,000,000 of federal funds on the table; this is a budget that is bad for the State's economy.

Selectman Bean: can I ask Mr. Welch's response on the cable? Town Manager Welch: my thoughts that you do it through a non-profit organization so the Town is not in a position to be sued.

Chairman Griffin: I was talking with Beverly Hollingworth, she mentioned when the liquor stores were set up there were special things put into the agreements that Hampton would get reimbursed if the Town went out there if there were any issues with the liquor stores. Town Manager, No and I do not have any information on that.

Fred Rice: I will follow up on that.

Renny Cushing: just want to thank the Board, the Town Manager, and the Department Heads, you have all been there for any backup I may have needed.

Richard Reniere, 29 Highland Avenue, provided information about the casinos in New Hampshire and his opinions on the matter, that it is a bad idea.

2. Chris Jacobs, Director DPW (1:38:41)
  - a. Moose Plate Grant for replacement of Grist Mill Roof at \$10,000

Mr. Jacobs: ask the Board for permission to sign a conservation license plate grant application; something Mr. Noyes prepared; similar application to what was presented last year; go to the roofing and siding.

Town Manager Welch: been working on and to perfect it; it needs the Board's permission.

Selectman Bean MOTIONED to approve the application for the Moose Plate Grant for replacement of Grist Mill Roof at \$10,000 SECONDED by Selectman Waddell.

VOTE: 5-0-0

- b. Departmental Update

Mr. Jacobs: have gotten a lot of bid documents out; pre-bid meeting coming up for paving and the High Street drainage project; have more interest in the project this year than last year; turned to the Town Manager my CIP; a lot of work by Mike Dube and technical information and support from Ryan Flynn.

Selectman Bridle: welcome aboard; we have a lot of pipe in this Town that is starting to rot out; people see the above ground stuff.

Selectman Woolsey: ventilation in the Waste Water Treatment Plant? Mr. Jacobs: it's a \$15,000 item; it's in the CIP; the Waste Water Access fee has approximately \$85,000; would like to use that to make that capital improvement at the plant.

Selectman Woolsey: really concerned about the extent of staffing; the short-handed staffing.

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Selectman Bean: welcome aboard; more peopling are bidding, that's great work.

Selectman Waddell: glad to hear that more people are bidding;

Mr. Jacobs: good for us and the economy.

Chairman Griffin: welcome; hope you can come up with a new plan for the future for us.

Mr. Jacobs: when you look at the CIP; it's a new plan; a healthy plan; left no stone unturned; it's going to be combination of what can be supported; laid out a full menu of things that need to be done.

3. Dick Desrosiers, Energy Committee – Postponed to April 27<sup>th</sup>.
  - a. 2015-001 RFP Solar Array Waiver from Purchasing Policy Section 718-16.4.B(2)

#### VII. Town Manager's Report (1:47:11)

1. The Town has received official notice from the State Office of Homeland Security and Emergency Management regarding the declaration of disaster that the period of time to be covered by the Presidential Declaration will be January 26-28, 2015.
2. Despite a week of cooler temperatures and added snow, the various Town Departments are engaged in spring and summer seasons activities. Please be careful driving as crews are engaged in roadway work.
3. The Tax Collector has requested that I inform everyone that her office will be closed on Wednesday, April 22<sup>nd</sup> so that she and her staff can attend the annual spring workshop to bring her and her staff up to date on changes in legislation and court cases as well as administrative requirements.
4. The filing periods for exemptions from taxes ends on April 15th.

Town Manager Welch: understands the Governor has requested that the entire storm period be included; that clean-up costs figure is \$509,165, that will have to be eaten by the Town if the request is denied; Town deposited today \$227,646.88 from the HealthTrust as a refund for the last two years from our experience ratios; still working on the Selectmen's goals; received a lot of good comments from folks.

Chairman Griffin: could you invite Senator Stiles to come? Town Manager Welch: certainly will; she will be with us sometime in the future.

Selectman Bridle: will it help if we contact our Congressmen and Senators.

Town Manager Welch: we have already done that; also contacted FEMA; sent a direct request to the White House.

Selectman Bridle: how about the Governor's Council?

Town Manager Welch: we didn't do the Council but the Governor; she has appealed that to FEMA; there has been no progress on the appeal.

Selectman Woolsey: Governor Baker came back with something like \$70,000,000 for the Massachusetts communities.

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Town Manager Welch: he went directly to Washington and met with the President; federal government requires a declaration of emergency; our Governor only declared one; Massachusetts declared three.

Selectman Waddell: is there a rationale behind why our State did not declare the emergency?

Town Manager Welch: it's strictly a Governor's function; President and FEMA can override that.

Chairman Griffin: most of the storms came from the south and they affected Massachusetts; they may have had more of a problem.

## VIII. Old Business (1:54:37)

### 1. Discussion of the Selectmen to meet with the Planning Board

Selectman Woolsey: need to set a date to talk with the Planning Board; have a lot of new builds going on; need to coordinate what we're doing with water supplies, electric service, private vs. public roads; we will not accept any more waste from associations and private developments and condominium developments; septic systems concern me; what are property owners going to do when septic systems fail; we're building in the less suitable areas; get a list together of topics.

Selectman Waddell: Planning Board is an elected Board voted on by the voters; they have specific things they are supposed to deal with and they do; if we have questions, they should be given to me as the representative; don't see one Board telling another Board what to do.

Selectman Bridle: they are their own elected Board; we can talk to individual members ourselves; need to go through the process.

Selectman Bean: support the representative to the Board's comments and Selectman Bridle's comments.

Chairman Griffin: I agree; they don't want to come here especially to be beat up on; best thing to do is to approach them separately.

Selectman Woolsey: we get stuck with problems as a community because some of the shortfalls that have happened at the Planning Board stage; think it's fair for us to try and work it out; need to have a civilized discussion on what concerns us; we are the ones that get the complaints.

Chairman Griffin: extended the invitation when I was on the Planning Board; I don't think they will be coming; best thing to do is to approach them individually yourself; if we could find out something about the history of the liquor stores.

## IX. New Business (2:01:55)

### 1. Waiver of Purchasing Policy Section 718:16

#### a. Single source provider - Kid's Kingdom Playground Equipment

Town Manager Welch: This was approved at Town meeting under the Recreation Department funding was repairs to the Kid's Kingdom Playgroup equipment; it's manufactured only by one vendor; Recreation Department has requested the waiver; this material now is in excess of twenty years old; certain portions of it need to be replaced.

Chairman Griffin: this has been in front of the Board before.

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Town Manager Welch: they are the only vendor; would have to farm out each item individually.

Selectman Bridle: have done an excellent job over the years maintaining and repairing them; need to get the parts from the company that made them.

Selectman Bridle MOTIONED to APPROVE the waiver of Purchasing Policy Section 718:16 for the Single source provider - Kid's Kingdom Playground Equipment SECONDED by Selectman Woolsey.

VOTE: 5-0-0

2. Approval of Conservation Commission's acceptance of Marshland – 2.5 acre parcel at the rear of Birch Road and along Meadow Pond Tax Map 181, Lot 30 Owner Barbara Salmin by David Salmin.

Selectman Woolsey MOTIONED to approve the Conservation Commission's acceptance of Marshland – 2.5 acre parcel at the rear of Birch Road and along Meadow Pond Tax Map 181, Lot 30 Owner Barbara Salmin by David Salmin SECONDED by Selectman Waddell.

VOTE: 5-0-0

- X. Return to Recessed Public Hearings of February 23<sup>rd</sup> for Lot B for Continuation should need arise

Town Manager Welch: The Board is to meet next week April 20 at 3:00PM at Lot B for the visual inspection of the property before the hearing that evening.

- XI. Closing Comments (2:05:31)

No Closing Comments.

- XII. Adjournment (2:05:37)

Selectman Waddell MOVED to ADJOURN the meeting at 21:00 SECONDED by Selectman Bean.

VOTE: 5-0-0

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Chairman