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April 27, 2015

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

ABSENT: Rusty Bridle, Vice Chairman

SALUTE TO THE FLAG

I. Public Hearing (06:35)

1. South Beach Neighborhood Issues

Mr. Ladd Precinct Commissioner: parking problems west side of Ashworth Avenue beyond town parking lot and island section.

Ms. Buckley Precinct Commissioner: it isn't only about the fire and police.

Mr. Lacourse, Atlantic Ave.: blocking driveways; parking; fire caused by fireworks; police do what they can; make one side of street fire lane; parking spot obstruction; sidewalk obstruction; public urination.

Selectman Woolsey: was the fire caused by public or private fireworks? Mr. Lacourse: private

Ms. Daboul, Harris Ave.: increased speeding; environment in neighborhood (Harris Ave.); duplicated placards; temporary trial for 1 year permit parking only; 1 placard per residence; community not just business; most business owners don't live at beach; need to investigate state park.

Mr. Light, Riverview Terr.: lighting, trash and parking issues for Wally's; great patrols in 2012; no patrols in back parking lot; flooding on Riverview Terrace; might rent to people from Lawrence, MA and go south.

Police Chief Sawyer: has arrest records made from Wally's; making accusations about being from Lawrence is inappropriate.

Mr. Fleury: poles were cut down has nothing to do with lighting that is Unitil; eager to move forward with updating parking lot; police are always going through parking lot.

Mr. Stone, Harris Ave.: wants to know why ambulance isn't kept on beach. Chairman Griffin: will look into it.

Ms. Parnagian, Concord Ave.: trash complaint; only 1 barrel and overflowing.

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Ms. Vacha, Hobson Ave.: parking on Hobson Ave. trash truck could not get down; kids working on beach parking on their road and dumping their trash.

Town Manager Welch: parking on both sides of street and difficult to get cruiser through and too narrow for trash truck to get through.

Chairman Griffin: hard with people working at beach because they are entitled to park there if empty spots. These are the comments we would like to hear about safety.

Ms. Keer, Boston Ave.: new construction and no parking; Boston Ave. urination; not following winter parking ban; noise; vans park and sleep in them; call police for everything.

Mr. Cross, Hobson Ave.: beach workers parking at end, noise, partying, public urination.

Ms. Barthell, Dover Ave.: likes trash can at end of road, sand machine not raking in front of 4 houses. Chief Sawyer: because of piping plovers, staying away from protection area.

Ms. Quereux, Atlantic Ave.: a lot of trash; put orange fence up because of snow being pushed on her side of road and not other side of road; town did good job of removing snow.

Mr. Mulloy, Harris Ave.: no sidewalks, trash, permit parking, overflow of business parking, and safety issue for children.

Mr. Dobson, Manchester St.: parking issues; posted no parking 5 years ago signage but doesn't now wants it back; hotel on corner that allows parking on corner makes hazard; street in disrepair.

Mr. McGuirk, Ocean Blvd.: no parking on Auburn Ave, family gets ticketed in yard, had properties surveyed and pinned to know where property lines are and they are missing.

Mr. McDonald, Epping Ave.: should be allowed to park on public street without being intimidated by owners at the island section; litter; put trash barrels back out and need more provided.

Ms. Pineo, Tuttle Ave.: parking issues; don't do resident parking only a lot of people are owners but not residents.

Mr. Rage, Precinct Commissioner, Ocean Blvd.: lack of convenient parking; work with state that close their lot early at 8:00; better signage with Island Path and Church Street parking.

Mr. Lapham, High St.: set up where businesses can lease parking on Island Path parking at reduced rates.

Ms. Preston, Tuttle Ave.: opposed to permit or resident parking.

Mr. Bourne, N St.: looking forward to new condos and the 26 parking spaces; streets are public and people can park; owners are placing no parking signs on their buildings; bus the kids in that work at beach, have them park at High School.

Police Chief Sawyer: display of no parking signs is a violation of town ordinance.

Ms. Schuck, Boston Ave.: owns 3 lots and 7 rental units, does not want parking on one side of street; private fireworks go to 2-3am; illegal open fires on beach.

Police Chief Sawyer: private fireworks are violation of town ordinance; dealing with staffing issues; prioritize what they are involved in.

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Chairman Griffin: are the fire pits illegal too? Police Chief Sawyer: yes, no fires allowed on the beaches; without permit cannot have open fire.

Ms. Keer, Boston Ave.: dog feces, why are dogs allowed; cigarette butts, private fireworks on beach.

Mr. Bourne, N St.: Saturday, May 16, 9:00am at pavilion the state has listen to the beach people meeting.

Mr. Ladd, Precinct Commissioner: have part time seasonal meter maids.

Police Chief Sawyer: not intending to have parking enforcement folks due to budget issues; will take another look at it, but no promises.

Mr. Quinn, Tuttle Ave.: this is a tourist town as parking problems will exist, consider multi-story parking garages.

Mr. Lacourse, Atlantic Ave.: dog feces, dog not on leashes on beach; cars driving on beach; owners not getting rental permits.

Chairman Griffin: if you know of any owner not getting rental permit call building department or Mr. Welch's office and will be investigated.

Mr. Mulloy, Harris Ave.: my kids are my main concern with people parking and trash on road; if I lived up town and parked in front of someone's home for 5 days that would be an issue; from corner of Harris and Fellows make one way would cut traffic.

Chairman Griffin: Chief would you like to comment on parking dealt with differently up town.

Police Chief Sawyer: the thing is more parking issues at the beach then up town; the statement is not accurate; parking regulations are parking regulations; the manner that is enforced and consistency; roads in town parking for more than 24 hours will be ticketed and towed; addressed when there are complaints.

Mr. Mulloy: renters should park as close to their unit as possible; signage on Harris would be great; children at play or slow sign.

Selectman Waddell: thank you for coming and the comments; will take under consideration and get back to people.

Selectman Woolsey: great to see all of you come out; Mr. Lacourse we do have a leash law; Mr. Stone since the new fire station was constructed station 1 is now up town, very limited staffing at beach worries and bothers me; very foolish to run ambulance in summer from uptown; but is due to staffing issues short on firefighters; precinct commissioners on article 2 notices will be going out due to flood article; changes on flood regulations.

Selectman Bean: thank you for coming and sharing; budgets are tight; issues will be addressed.

Chairman Griffin: we used to leave ambulance down there.

Town Manager Welch: there is a bay for it; right now the fire department is short of people; 6 are out on workers compensation; we are filling those positions with overtime; the ambulance is in town due to lack of personnel and the center of the town, equally to all

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distant in the community; we try to keep an ambulance at the beach often, but not on a permanent basis, hopefully that will change when we get our workers back.

Chairman Griffin: if you have concerns go to the fire department and speak; we will make sure that they know your concerns Mr. Stone; will take into consideration what everyone has said; thank you for coming out tonight.

The public hearing on the neighborhood issues was closed at 8:20pm.

II. Public Comment Period (1:28:53)

Mr. Lapham: would I be able to get a copy of the MS2 when available?

Town Manager Welch: there is no more MS2, the state has changed all their forms; send email requesting what you want as we need it in writing.

III. Announcements and Community Calendar (1:29:40)

Selectman Waddell: last week went to 2nd grade concert at Winnacunnet and was phenomenal; compliment music department.

Selectman Bean: publicly like to send sympathies from the board to Mr. Syphers; all around great guy; remarkable guy.

IV. Consent Agenda (04:35)

1. New Veteran's Tax Credit Application: Breslin Family Trust 434 High St #10 166/8/10
2. Requalification of Veteran's Tax Credits: Aiello 15 Roberts Dr 6/27; Ajemian 19 Thayer Rd 107/23; Alhowik 4 Westridge Dr 69/1/3; Alker 6 Sanborn Rd 193/34; Anderson 50 Hampton Meadows 172/6/50; Andrews 20 Cedarview Ln 88/46; Andrews 17 Hemlock Haven 138/1/17; Aoki, Anne 14 Hampton Meadows 172/6/1; Aoki, James 14 Hampton Meadows 172/6/14; Appelbe 46 Falcone Cr 41/27; Aquizap 65 Tide Mill Rd 241/6; Arno 51 Drakes Landing 124/6/51; Arsenault 119 Hampton Meadows 172/6/119; Aykroyd 19 Forest Dr 106/16; Azar 467 High St #21 167/4/21; Bailey 43 Langdale Dr 87/9; Bagley 15 Anns Terr 127/58; Bajowski 31 Huckleberry Ln 115/21; Baker 25 Vrylena's Way 195/112/10; Baker 93 Dunvegan Woods Dr 180/5/93; Ballou 9 Birch Rd 181/6; Barbieri 23 Langdale Dr 68/11; Barrett 11 Randall St 179/41; Basile 115 Hampton Meadows 112/6/115; Bean 3 Bourn Ave 125/10; Belanger 454 Winnacunnet Rd #21 222/30/21; Benz 19 Penniman Ln 220/27; Bernier 6 Salt Meadows 151/1/6; Beaudry 7 Harris Ave 295/17/1; Biagini 12 Heritage Dr 34/10/5; Bishop 229 Exeter Rd 68/3; Blain 10 Ann Terr 127/45; Blair 39 Ashbrook Dr 13/13; Bleich 189 Woodland Rd 95/3; Bronzo, Patricia 15 Hunter Dr 149/6; Bronzo, Anthony 15 Hunter Dr 149/6; Burford 27 North Shore Rd 131/13; Corson 5 Wentworth Ave 207/18; Cote 92 Barbour Rd 91/14; Cropper 20 Hutchinson Dr 167/18; DeFusco 8 Ocean Dr 304/20; Dudek 551 Winnacunnet Rd 223/152; Faulkingham 15 Ridgeview Terr 146/32; Kenison 126 Kings Hwy 183/36; Langlois 47 Hampton Meadows 172/6/47; Liddy 5 Randall St 179/32; Lupoli 48 Huckleberry Lane 133/4; Mede 19 Maplewood Dr 106/11; Mission 2 Jeffrey Dr 205/9; Moran 19 Laurel Ln 179/78; Moulton 9 Blake Ln 128/15; Noel 22 Exeter Rd 143/16; Fallon 79 North Shore Rd 132/1; Pecce 20 Bourn Ave 107/25; Philbrick 249 Landing Rd 205/26; Radford 19 Briar Rd 115/43; Robichaud 270 High St 178/11; Scalera 23 Driftwood

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Rd106/1; Schneider 571 Winnacunnet Rd #16 235/11/16; Slockett 1 Tobey St 178/6; Smith 19 Keene Ln 116/3; Smith 196 Exeter Rd 69/44; Snow 34 Mill Pond Ln 150/2; Souza 5 Mace Rd 127/46; Spratt 697 Exeter Rd 7/5; Trefethen 165 Landing Rd 229/16/1; Twomey 108 Hampton Meadows 172/6/108; Wanderlich 6 Anchor St 266/36; Webber 495 Lafayette Rd 143/18; Williams 15 Raymond Ln 128/3/7; Yiannacopoulos 198 Exeter Rd 69/38

3. Entertainment Licenses: Millie's Tavern on L Street
4. Memorandum of Understanding Town of Hampton and Hampton Professional Firefighters Association IAFF Local 2664

Selectman Woolsey: is there a problem with parking at the Tavern on L Street; also the Memorandum of Understanding for the Firefighters, are we not doing that separately? Town Manager Welch: we can if you want to remove it.

Selectman Woolsey: well I don't want to take it off forever.

Selectman Bean: there has been a motion and seconded, it is a busy night.

Selectman Woolsey: every night is a busy night; there are 2 small grammatical corrections that I will mention to Fred later.

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

VOTE: 4-0-0

V. Approval of Minutes (1:30:50)

1. April 13, 2015

Selectman Woolsey MOTIONED to approve the April 13, 2015 minutes SECONDED by Selectman Waddell.

VOTE: 4-0-0

VI. Appointments (1:31:05)

1. Kristi Pulliam, Finance Director
 - a. Signing of \$4 Million 2015 TAN
 - b. Financials

Ms. Pulliam: Ellen came last week and asked for approval have documents that need to be signed; would like to recognize Paul Paquette was nominated by Cassie Leavitt to receive the 2015 Support Award for providing IT support to an emergency dispatch center. March financials; target 25%; total income \$619,000; interest on taxes \$25,000; building permits \$19,000; departmental income \$28,000; health trust surplus \$227,000; real estate trust \$39,800; expense summary shows the operating departments without debt service but with open PO's were 25.08% of the budget, which is over the month's target by \$19,000; overall the departments as a whole are running under the target of 25%; several subtotal lines that are either right on target or slightly over; majority of the subtotal lines that are running over 25% are a reflection of quarterly/semi-annual payments made at the beginning of the year; finance supplies and expenses and O/T wages are at 50% related to the cost of the annual reports and overtime needed to close out the year and prepare for audit; MIS, the four equipment related accounts when combined together are currently at 27.69% which is \$2.2k over budget; police

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department is at target at 21.7% overall with open POs included; uniform pay contractually this must be paid by the first payroll in April; the fire department is at 21.5% overall with open POs included; career incentives which are contractually owed by the first payroll in April; highway and streets is over target at 34.5% primarily due to snow and ice removal costs which are currently at 305% of budget when you include an invoice paid in April for \$241,697.50; municipal sanitation is running just below target at 22%; animal control is running below target but note that O/T wages are at 51.8%; culture and recreation O/T wages, telephone, maintenance of parks and heating fuel running over target; accounting of the 2014 encumbrances showing 25% have been expended to date; recreation beach sticker donations year to date \$5,190; cable committee fund balance continues to run slightly above 2014 ending balance.

Selectman Waddell: O/T for animal control do we know why that is? Ms. Pulliam: he does some of the snow removal along with janitorial stuff.

Selectman Waddell: general government legal is only 17% is that lower at this time of year? Ms. Pulliam: I would have to look back.

Selectman Waddell: MIS at staff development 154% and repairs and maintenance 152%? Ms. Pulliam: 4 items are combined together; add 4 lines together they are only at 27.69%.

Selectman Waddell: going off default budget are we going to run into problems with heating fuel which is at 48% on things? Ms. Pulliam: heating fuel and diesel fuel and those types of lines were notable in several departments.

Selectman Woolsey: where does the money for maintaining the town website come from? Ms. Pulliam: coming out of MIS.

Selectman Woolsey: have raises been given out as of April 1st? Town Manager Welch: we are on a default budget so therefore no raises were given out to non-union employees.

2. Berk Bennett, Commander Post 35 (1:41:55)
 - a. Memorial Day Ceremonies

Mr. Bennett: honor to host annual Memorial Day Parade and Ceremony; 4 World War II veterans speaking; invite all World War II Veterans from Hampton, North Hampton and Hampton Falls to join parade; May 25 at 8am at Marine Memorial in front of Ashworth Hotel; at 9am will continue on Weir Common in Hampton Falls; 10am the North Hampton parade starts at Citizens Bank in North Hampton; Hampton Parade begins at 11:30 in parking lot next to Fire Department culminating in ceremony at the High Street Cemetery; other events we are sponsoring is the Wounded Warrior Project August 28 at north beach; 911 Global War on Terrorism Monument rededication ceremony September 11th on High Street; Veterans Day Ceremony November 11 at Hampton Beach Marine Memorial at 8am on Weir Common in Hampton Falls at 9am; North Hampton at 10am town offices; High Street at 11am in front of Post 35; hold fund raisers May 16 yard sale 8-2 at the post; Post 35 golf tournament June 12 at Breakfast Hill Club in Greenland; boy scout troop 177 place flags on veterans graves for Memorial Day; flag day June 14th honorably disposes flags at the Fire Department; award 2 scholarships to WHS seniors; school awards to 8th grade students; assist at annual run at Odiorne State Park; donates Thanksgiving baskets during holidays and participates in giving tree program; Memorial Services for veterans who have passed;

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sponsors programs at schools; recruiting younger members; exceeded membership numbers; working on website.

Selectman Waddell: thank you for your service; you do a super job.

Selectman Woolsey: let the Mr. Welch know when you have the website up and running, we can notify residents; call the post if you have donations for the yard sale.

Selectman Bean: very well done.

3. Tom McGuirk (1:53:50)
 - a. M Street Traffic Direction

I have spoken to the town manager in the past; the previous town manager and selectman throughout the years regarding the direction of M St. and conversely the fact that K St. is the last "Up Street" in the summer months.

Auburn Ave. and Auburn Ave. Ext. are used as a cut-through for residents of Perkins Ave. in order for them to use K St. (to Ocean Blvd.) even though those residents are south of K St. This puts a tremendous strain on Auburn Ave. Ext. (a private way) and Auburn Ave. (a 14 foot Street). Many of the traffic travel at a speed that is dangerous to the pedestrian traffic on those streets (many are children). The added construction the 128 Ashworth Ave. property will certainly make these streets even more in need of traffic softening.

I understand that M St. was made a "DOWN" in order to stop "cruising". Cruising is a thing of the past. Gas prices and lack of Letter St. parking has curbed cruising. M St. is a class 5 road and able to handle the traffic that is being forced onto substandard roads. The argument that M St. residents would be inconvenienced is outweighed by the inconvenience cause by Auburn and Auburn Ave. Ext.

Selectman Woolsey: can we pass this information onto Police Chief Sawyer? Selectman Griffin: you have talked to Police Chief Sawyer so he is aware of this.

VII. Town Manager's Report (2:01:15)

1. The Department of Public Works has pushed back the stored snow and opened the Ashworth Avenue and Island Path Parking Lots except for a very few parking spaces. The normal melt will remove the remaining snow in a few weeks at most. The snow piled at the State Park has reduced from a three-story building to a one-story building.
2. On April 23rd the Department of Public Works has opened bids for the repaving of Exeter Road, Belmont Circle, Fairfield Drive and Ruth Lane. Evaluations must be accomplished but it appears that a rebidding may be necessary.
3. The Finance Department is working on closing figures regarding our unusual snow plowing and removal costs from January to March. With good planning, we should have those figures for the Board within 2 weeks.
4. The un-Invited Guest that has been beached on the marsh behind Tuttle and Fellows Avenues has been acquired by the State and arrangements are in progress to repair the hull and move the boat to Newburyport.
5. I have appointed a review committee to examine the physical layouts of the North Beach Streets and the issues discussed at the last Selectmen's Meeting. The Chief of Police, Acting Fire Chief, Town Planner, Public Works Director, and Assistant Town

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Manager will join me in preparing recommendations for the Selectmen's consideration in the near future.

6. Food Drive non-perishable items for the US Postal Service held May 9, 2015, place your items in a bag by your mail box for Saturday morning and will be picked up by your mail carrier.
7. You each have a report from the Public Works Director, simple one page report and the department will attempt to do this weekly.
8. Received communication from the Department of Safety the Highway Safety Agency issuing 3 grants to our police department; one is for overtime reimbursement for selected traffic enforcement programs; overtime reimbursement for selected programs dealing with sobriety checkpoints and active enforcement of DWI; and similar program for later this year for enforcement of DWI.
9. Senator and Representative filed Bill 242 to amend the state statute regarding deliberative sessions and the SB2 program.

Selectman Woolsey: Aquarion will have contractor conducting leak survey; state replacement of bridges for Taylor River Bridge, is there a problem as far as contamination?

Town Manager Welch: the state is not going to move the contaminated material behind the current dam at this time; will take 3 years to replace bridge.

Selectman Woolsey: do we have anything in writing that they will not breach the contamination? Town Manager Welch: that is part of the permit they received; unless dam fails it is rotted in places; face of dam is solid at this point.

Selectman Woolsey: report town of Hampton expenditures related to Hampton Beach, where did we get this; information is recent? Town Manager Welch: information came from individual departments; collected the last 2 ½ years; current report. This is follow up; compilation to do business with the state of NH, Hampton Beach.

Selectman Woolsey: are we going to have on agenda fairly soon about clean up in town forest? Town Manager Welch: we have to get together with Conservation Commission; they will set program up for us to see what needs to be done; also sit down with Public Works, the Police Department and Fire Department.

Selectman Woolsey: in your letter of April 24th are we tracking to make sure that the estimates for the Grist Mill Dam; are we going to come in on budget? Town Manager Welch: are you talking the Grist Mill or the Ice Pond? Selectman Woolsey: Grist Mill; your letter of April 24th

Town Manager Welch: I believe it deals with the Ice Pond Dam; we are trying to work through all town warrant articles that passed; we have asked for information necessary to formulate program for replacement and the bid documents to get work done.

Selectman Woolsey: we are going to make sure we do not have overruns.

Town Manager Welch: no guarantee of that, obviously we are 3 ½ years down the road.

Selectman Waddell: Bill 242 is going to study committee? Town Manager Welch: yes that is what I heard.

Selectman Waddell: how come the state decided the term Uninvited Guest, did they change their mind? Town Manager Welch: I am the one who termed Uninvited Guest, it is the

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Guest, yes they were having difficulty getting equipment into marsh while it was frozen, and someone recently came to them and offered to repair and haul to Newburyport.

Selectman Waddell: you said that the bids are coming in lower on Exeter Road? Town Manager Welch: yes, we are very surprised.

Chairman Griffin: I would like the public to know we have taken a position on pollution in Taylor River and we spent a lot of money on a study, it is not something we haven't paid attention too.

Town Manager Welch: we hired one of the nationally recognized best professionals, she examined materials behind the dam and we were warned should that material be released it may kill estuary because of all the chemicals that are in it; have told state if the dam is to be taken down they need to take the 77,000 cubic yards of material out, their answer was we will think about it but no.

Chairman Griffin: were they given a copy of the study? Town Manager Welch: yes

Chairman Griffin: comment on Grist Mill, what is the name of the gentleman in charge? Selectman Woolsey: Mr. Hurley

Chairman Griffin: there is a new person that is the key person; Jim Metcalf.

Town Manager Welch: I just heard from Mr. Hurley today, they are preparing documents to discuss the warrant article; we need to start from scratch to see what they are going to do.

Chairman Griffin: I talked with Mr. Metcalf and suggested he come talk to you.

VIII. Old Business (2:17:58)

1. Leased Land Real Estate Commission 33-35 Dover Avenue

Attorney Gearreald: I have given board memo on subject the Bartell's contacted me prior to the arbitration that occurred whereby the lease land real estate commission conducted an arbitration proceeding and set price; they did not address issue by when the closing was to occur; the Bartell's asked what time frame involved, their bank said up to 6 months necessary for the various financial dealings be brought together for purchase; I suggested they write letter to the selectmen about subject; looked at vote in 1982 and state session law and according to the session law it is the real estate commission that is supposed to deal with implementing the sale of leased land; the issue of when their closing may occur be referred to the real estate commission.

Chairman Griffin: do the Bartell's have something to say.

Mr. Barthell: we started process almost a year ago; because of lease land committee delay; we asked for 6 months or sooner to close and I am hearing the town council say we would have to send letter to Mr. McGuirk of the leased land committee.

Attorney Gearreald: I am just asking this board to refer your letter to the leased land committee.

Chairman Griffin: do they need to be in contact with Mr. McGuirk of the leased land committee? Attorney Gearreald: yes, once this board since it is on your agenda if you move to refer to lease land commission we would refer the letter to their attention, they don't need to write another one.

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Chairman Griffin: do we have a full board there now? Attorney Gearreald: you have 3 out of a potential 5.

Chairman Griffin: do you have any more questions? Mr. Barthell: do we need to direct the letter? Chairman Griffin: no we will direct the letter for you.

Selectman Woolsey MOTIONED to refer the request of Helena B. & Burley O. Barthell as to opposing date deadline for purchase 33-35 Dover Ave. to the Lease Land Real Estate Commission for their determination in accordance with May 11, 1982 town meeting vote, creating the leased land sales program at the terms of the 1983 State session law creating the leased land real estate commission SECONDED by Selectman Waddell.

VOTE: 3-0-1(Bea)

IX. New Business (2:23:35)

1. RSA's Inquiries

Selectman Bean: this came to light last week when I was informed by the Town Manager that Town Council had informed him of Selectman Woolsey in a discussion with Town Council, and I am concerned for a number of reasons about the phone call; and ask Town Councilor to discuss it; had a phone call and claiming confidentiality on the call; subject of the call is not confidential; March Case #2182015CB00300 sued everyone on this board including the Town of Hampton; I ask Town Council to discuss the phone call.

Attorney Gearreald: last Wednesday received phone call from Selectman Woolsey asking in general what the powers and duties of the Board of Selectmen were and where the items were addressed in the RSA's; discussion about oath of office and what RSA provisions govern that, I pointed her in the direction of the particular sections that generally discussed those items and the phone call concluded at that point; I drew this to the attention of the manager because I wasn't sure what particular concerns, as the manager deals with all of you and the relations among the selectmen and I wasn't sure where this was coming from; the next day he recommended to me when I get inquiries of this type that I should send an email to all the board because the confidentiality that comes from discussion to me extends to the entire board and that I should share what I shared with Ms. Woolsey and that was done.

Selectman Bean: Chapter 41 choosing by ballot selectman and serving 3 years, to manage prudential affairs of town and perform duties by law prescribed; the challenging part is majority of selectmen shall be competent in all cases; informed by Town Manager of this discussion you emailed board on 4/23/15 and #2 you elude to discussion with Ms. Woolsey as which RSA governs the oath of office in removal for violation RSA 42:1 and 42:1A,1,2 what is the response of council to Ms. Woolsey? Attorney Gearreald: that came in the course of discussion for provisions of oath of office and what sections govern that and what could be done for the violation of the law.

Selectman Bean: that conservation has no confidentiality, we have limited budget; request for expenditures out of legal budget; court action last month using the town clerk to notarize that action by Ms. Woolsey; hoist unnecessary work demands about hair brain schemes that we feel we can take the town councils time as elected leaders is inappropriate.

Selectman Woolsey: did not expect confidentiality from council I simply asked him and if I am not to call him that is fine I have no problem with that; my comments may be

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uncomfortable but statutes require any criticism of officials must be said in public; March 16 at reorganization of this board you chose to disrespect me and my service by refusing to allow me to serve as chair; March 17 reported to budget committee meeting; morning of March 18 called Mr. Bridle and refused to represent board on budget committee; no longer trust colleagues; emailed Chairman Latimer March 18 with responses, at that suggested a presentation with Mr. Tinker; checked with Mr. Tinker prior to, he agreed; Chairman Latimer followed up with him a few days after meeting settled on format; informed Selectmen Board that made suggestion; April 21 watched Budget Committee, was appalled at Selectman Bean's comments; Mr. Bean stated he and Chairman Griffin decided that day to direct Mr. Welch to inform Mr. Tinker that the board would not allow him to make scheduled appearance; never consulted by either of them; no idea whether Mr. Bridle or Mr. Waddell were consulted; assessing officer works in lieu of the board of selectmen and the town manager has no authority over him; 2 members of this board have no authority to act outside of jurisdiction of the 5 members; chair of budget committee not notified in advance; Mr. Bean insulting remarks to budget committee claims he consulted with Chairman Griffin and ordered Mr. Tinker to not attend; ranted about 2015 budget, saying he orders all requests from budget committee to go through him; Chairman Latimer had stated all requests go through her; RSA 32:16,II; selectman representative meant to be facilitator not dictator; has more experience than anyone on board; disrespect shown to committee; illegal for Selectman Bean or Chairman Griffin to make decisions on their own; manager drawn in; Mr. Tinker told by manager that the board ordered him to not attend budget meeting; mission of elected officials to serve best interest of public personalities no place in public office this is not men's club; you rejected my suggestion to meet with planning board; I am 1/5th of board and refuse to put up with sneaking, disrespectful, illegal conduct; we cannot continue to sanction this behavior; intend to call for a conference with town council before next week's meeting because I think Mr. Bean should step down as a representative from this board; no idea what Mr. Griffin's involvement is.

Chairman Griffin: I will say Mr. Bean stopped to see me and he asked that we had made a decision of the board that all items go through the representative, which you were the representative but you stepped down, was under impression because you didn't get along with Mrs. Latimer and Mrs. Latimer told me the same thing; I was under impression that you weren't getting along ther.

Selectman Woolsey: no, that is not true.

Chairman Griffin: you gave up your place, but didn't have to.

Selectman Woolsey: because I said...

Chairman Griffin: Mrs. Woolsey let me have my time to say something; you are the one that asked not to be on budget committee so that is when Mr. Bean took over that position; are you asking now to be back on the budget committee:?

Selectman Woolsey: what I am saying is I refused to represent board that went behind my back.

Chairman Griffin: no one went behind your back Mrs. Woolsey.

Selectman Woolsey: yes you did.

Chairman Griffin: ok please let me finish my conversation.

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Selectman Woolsey: no you asked me a question.

Chairman Griffin: Mrs. Woolsey, please.

Selectman Woolsey: stop banging your gavel, you asked me a question and I am going to answer it.

Chairman Griffin: Mrs. Woolsey, please; I am going to finish my conversation.

Selectman Woolsey: no, none of us as a board ever, ever, ever; the appointment with Mr. Tinker...

Chairman Griffin: you are out of line.

Selectman Woolsey: I am out of line Mr. Tinker was booked on right after the March meeting.

Chairman Griffin: Mrs. Woolsey, please; you are not the budget committee person, you asked to be relieved.

Selectman Woolsey: I am a member of this confounded board and don't tell me Mr. Bean and Mr. Griffin told the assessing officer not to go.

Chairman Griffin: please do not speak for me.

Selectman Woolsey: Mr. Bean spoke for you.

Chairman Griffin: you asked not to be on the budget committee.

Selectman Woolsey: that is irrelevant at this point.

Chairman Griffin: no it isn't; if you wanted to be there you could have; you asked not to; please let me have my say.

Selectman Woolsey: the budget committee had its agenda set up predicated on the assessing office showing.

Chairman Griffin: Mrs. Woolsey you are out of line.

Selectman Woolsey: I am sorry; I am out of line?

Chairman Griffin: you have made some accusations and I want to.

Selectman Woolsey: yes I have...

Chairman Griffin: Mrs. Woolsey nobody did anything; Mrs. Woolsey please you will have your chance to talk.

Selectman Woolsey: when, when?

Chairman Griffin: after you let some else a chance to talk; please stop it.

Selectman Woolsey: you asked me a question.

Chairman Griffin: Mrs. Woolsey I am not asking you a question.

Selectman Woolsey: there have been misstatements.

Selectman Waddell: may I make a comment?

Chairman Griffin: in one moment.

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Selectman Woolsey: now Jim.

Chairman Griffin: we agreed at this board to let things go through the representative just like you were the representative the last time; in the past when there is an election people are allowed to talk one on one that is all that happened this year just like every other year that I have been here, if you want someone to nominate you that was up to you to go ahead of time and make sure someone was going to nominate you; I can't imagine.

Selectman Woolsey: we are not supposed to be talking behind closed doors.

Chairman Griffin: Mrs. Woolsey you will have your chance to talk.

Selectman Woolsey: you came up to me...

Chairman Griffin: you will have your chance to talk, please Mrs. Woolsey this is my time to talk you are out of line and then Mr. Waddell is going to talk.

Selectman Waddell: I would just like to say I was at a function the other night and one of the restaurant owners in town was talking to me and he is not concerned with who is chairman and he is not concerned that Mr. Bean said something at the budget committee; he is concerned about the sewer line going to his restaurant; people on Exeter Road are concerned about Exeter Road; when I used to go to breakfast Tuesday mornings it used to be did you see the foolishness that went on at the select board last night people would be talking about it; are we going to fall back into that; the fact that you were not elected chairperson, it was no conspiracy, it was none, nobody came to me and said that I was going to make an issue out of it and vote for somebody, nobody did that, it has been done before the tradition wasn't followed and I think we should just let that die out and go away because the public is not interested in that, they are interested in getting the work of the Town done; the thing about representatives we did that talk on this board, we did have a discussion because we talked about Rick on the planning board when he was there, that we wanted all the correspondents to go through the representative of the different boards, that was something that was discussed, that was not something that was discussed in the background; I think we should get down to business; this went on 2 years ago removing people from the board, removing people, it was foolishness then and people laughed about it in town at that point and people laugh at it now, let's get down to business that is appropriate for the board and lets deal with that and not deal with this foolishness.

Selectman Woolsey: Jim...

Chairman Griffin: Mrs. Woolsey I will recognize you when it is your turn to talk, it is my turn to talk now. I would like to say also that I feel this is a tremendous waste of time and you spend a lot of time deciding who is going to be need to be removed from the board, even though they may have gotten the most votes of anybody you would like for them to be removed, you need to respect what the voters are saying and that is what I feel and I feel that I basically am not involved in this at all, but I am involved because I am a member of this board, every time I come here you are sneaking around trying to control things, trying to control the board or trying to look at ways to offend the voting public because you don't agree with who they selected and I have a strong problem with that; now it is your turn to talk.

Selectman Woolsey: Jim I made, I had the discussion while I was still a representative of this board in March with the chairman of the budget committee regarding having the

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assessing officer go in and talk to them this year, like he did last year, but on the reveal and you have to admit that the relations with the budget committee were not good last year and I said to all of you that I will volunteer to take on the position of the budget committee representative this year to try to calm things down and the chairman of the budget committee was very receptive to having Mr. Tinker go into the April meeting, she went in and talked to him, they sorted it out, he was all set, he was booked on, he was on their agenda, if I recall correctly and at the last minute to have a member of this board go into the manager and the member of that board being Mr. Bean said you, he consulted with you and the two of you determined that the manager to tell Mr. Tinker not to show up at that meeting, April 21, that was set in, it was agreed to, the chairman of the Budget Committee talked to Mr. Tinker, he was all set to go that was set up for the meeting, that has nothing to do with any decisions that anybody made funneling anything through to anyone that was predetermined, he was ready to go, the budget committee was ready to hear him and Mr. Bean spouting your name, he did it again at the Budget meeting said that you 2 and you are only 2 members of the board told the manager to tell the assessing officer not to show up, that is outrageous, I say that is illegal, I say that you have no right to do that as 2 members of this board.

Chairman Griffin: I am saying that it didn't happen.

Selectman Woolsey: it certainly did happen.

Selectman Bean: Mr. Chairman may I have the floor please; Mr. Welch may I please confirm that you did not tell the tax assessor that he was not going to attend the meeting.

Town Manager Welch: that is correct.

Selectman Woolsey: well I was waiting...

Selectman Bean: I have the floor Mr. Chairman; Ms. Woolsey has asserted at least 3 times that you told the tax assessor not to go to the meeting is that incorrect.

Town Manager: I believe that is incorrect; he told me that he had been requested not to go.

Selectman Woolsey: by whom, I want to know who...

Selectman Bean: point of order.

Chairman Griffin: Mrs. Woolsey please stop interrupting and let other people talk, let other people have the floor, no one can talk when you are around, that is the problem here tonight.

Selectman Bean: we are simply talking about formal lines of communication that enhances the types of issues that Selectman Waddell is talking about and execution of the most important company in town the most important corporation, we are first responders we have police, fire, public works, we have a deteriorating infrastructure, we have a budget committee that at the 11th hour cut \$700,000 without notification to board of selectman, without notification to department head members, never consulted with them, and it is time to get in line with the voters have done at the polls and they have reduced the board's number; new input; and with Mrs. Woolsey assertions, she and 2 other selectmen removed me from the chairpersons spot, and those 2 people were voted off the island that had voted with her, Mrs. Woolsey if she can't achieve success at the polls wants to hire the town attorney have us pay for it; to impose her royal dictatorship on the town and it is just not consistent with reality, her assertions tonight about Mr. Welch are not consistent with the truth, we have talked about this, Selectman Waddell and Selectman Bridle has told you; she talks about her ability

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as a former representative to the Budget Committee to impose her will about how I working as your representative is going to conduct my time and that is simply fallacy, it is nonsense; Mrs. Woolsey condemned Mr. Moore several years ago when left, when he was forced off this board by her actions with the 2 other selectmen; she said she didn't take her toys and go home, well she did that with the Budget Committee and she quit, she quit one of the most important liaison committees in this town, because the board didn't grant her a chairmanship, now she is out to seek more legal effort, she wants to intimidate people and if you are a department head in this town and you listen to this woman and you see how she treats elected officials, you have to wonder if you are the esquire, you have to wonder if you are a department head, who is next? in this climate of fear, it is a climate of pernicious disputatious pugnacious egregious malice and it will never end until she no longer sits at this board.

Selectman Waddell: you know I have made my statement; we are dealing with foolishness.

Chairman Griffin: I just want to say after the first meeting of the Budget Committee Mrs. Latimer the chairman. called me up and she instructed me that she did run into you going into Mr. Tinker's office and she strongly said to you that is her job not yours and she lead me to believe that before anything happened here on this board, that is why I thought you were unhappy and when you quit the board that is why I thought you quit it because you weren't getting your own way there and that is what she told me, she told me you had a problem at the board not being in charge there, that is how she felt, she felt threatened by you also, I don't feel threatened by you, but in all 11 years I have been here I have never had this problem with somebody going around trying to intimidate people and I find it to be a problem, it is a problem for me, you have the floor.

Selectman Woolsey: Mrs. Latimer can make her own commentary I am not going to go.

Chairman Griffin: you talk about a one on one conversation, she called me and that is what she told me.

Selectman Woolsey: that is fine you can work that out with her and she can make her own public statement, I want to know why Mr. Tinker when he was scheduled and on the agenda for the April 21st budget meeting, I want to know why he did not show up, it is not like Mr. Tinker; if you think the spectacle you made at that Budget Committee meeting on April 21st was going to bring good relations and productive relations with the Budget Committee I beg to differ, anybody who has seen that is appalled, appalled, and I think you have a nerve going behind our backs telling the assessing officer what to do, that you and Mr. Griffin and you stated that in public at the budget meeting, you stated it in public.

Selectman Bean: point of order Mr. Chairman, there is no going behind backs here; it is professional leadership; you could listen to Mrs. Woolsey all night long.

Selectman Woolsey: your appearance was professional at the Budget Committee?

Chairman Griffin: Mrs. Woolsey are you suggesting that you want to be the Budget Committee Representative? If you are maybe we can open that discussion when Mr. Bridle comes back.

Selectman Woolsey: I am saying that I would be delighted to represent the Budget Committee; I love working with the Budget Committee, but I am not going to talk to Budget Committee members with the bunch of selectmen sneaking around behind my back forbidding the assessing officer.

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Chairman Griffin: don't stick your finger at me.

Selectman Woolsey: well you banged your gavel at me.

Chairman Griffin: that is my job, thank you.

Selectman Woolsey: that is good to know I work without a gavel.

Chairman Griffin: any other comments?

Selectman Waddell: I have heard this song, it wasn't popular before, it shouldn't be popular again.

Chairman Griffin: moving onto other new business, does anyone have any new business, Mrs. Woolsey?

Selectman Woolsey: God forbid I should have new business.

Chairman Griffin: is it going to this way you really don't want to part of the board?

Selectman Woolsey: I want to be part of a board that cooperates and tells other members of the board what is happening, not 2 members of the board making a decision, as was publicly stated, it is on the record.

Chairman Griffin: please stop shaking your finger at me, I find it offensive.

Selectman Woolsey: oh that is terrible.

Chairman Griffin: I really don't like your comments either.

Selectman Woolsey: well I don't like hearing what I heard.

2. Committee Appointments

Selectman Woolsey MOTIONED to approve the appointments of Julie Martinelli as a full member and Tom Mongeon as an alternate to the Energy Committee SECONDED by Selectman Waddell.

VOTE: 4-0-0

Selectman Woolsey: we did have a letter from the Town Planner that the zoning board is setting up a zoning review committee and I would be happy to volunteer to work with the zoning board on that committee.

Selectman Bean: I would recommend that we wait until Selectman Bridle is back.

Selectman Woolsey: we need an answer by May 5th. Chairman Griffin: we will wait for Mr. Bridle is here.

Town Manager Welch: the other committee that needs a decision is the Education Recycling Committee; all the member's terms have expired and all request to be reappointed.

Selectman Woolsey: I thought we were going to discuss the merits of the committee.

Town Manager Welch: that is certainly at the purview of the board of selectman that you like to even have the committee; this is the opportunity to do that and if you do not you should not do reappointments. Selectman Waddell: wait until Mr. Bridle gets back.

Old Business cont.

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Chairman Griffin: we have had many complaints Mrs. Woolsey that you keep comment while others are talking; every time you make these comments that I find very distracting, I have already talked to you in private about it, we are trying to make sure this board works in a certain way and from now on I would appreciate it if you would not comment until it is your turn to comment, thank you.

- X. Return to Recessed Public Hearings of February 23rd for Lot B for Continuation should the need arise.

Town Manager Welch: I recommend we not reopen that tonight that we continue to postpone that until your next meeting.

Attorney Gearreald: that is alright I think next week is best.

XI. Closing Comments (2:57:07)

Selectman Waddell: I don't want to beat a dead horse, but I just want to say that I respect Selectman Woolsey, I respect her opinion I think she has a lot to offer to this board and I think we got off to a bad start; I would like to see us work through this problem, and come to the consensus working cooperatively together; people did not go behind her back, she has a difference of opinion on what happened, but I think we have a year to go working together, I think we can work through this, we can work cooperatively; we respected each other last year, I respect your opinion you have a history in Hampton you know what is going on; from my point of view I would like to see us move forward and not move backwards.

Chairman Griffin: I also would like to see us move forward and I respect the voters, the voters voted for Mrs. Woolsey that is why she is here and we need to try to work together and I am all for it.

Selectman Woolsey: I would just like to ask you one question Mr. Waddell, and I appreciate your remarks; did you know that Mr. Bean was saying that he and Mr. Griffin took that action and were you consulted?

Selectman Waddell: I was not consulted no. But

Selectman Woolsey: thank you, I appreciate.

Chairman Griffin: that is not to say that anyone took any action.

Selectman Woolsey: no this was in the name of the board

Selectman Bean: my closing comments are she didn't hear a word you said Jim.

XII. Adjournment

Selectman Bean MOVED to ADJOURN the meeting at 9:55pm SECONDED by Selectman Waddell.

VOTE: 4-0-0

Chairman

Monday 4/27 Woolsey Page 1

At the start of my remarks I caution you and the viewing audience that, while my comments will be uncomfortable to some, the statutes require that any criticism of an elected official or officials MUST take place in public. What I have to say here tonight cannot be said behind closed doors.

Last year we performed our duties with at least a veneer of co-operation. On Monday, March 16, at the reorganization of this Board you chose to disrespect me and my service to this community by refusing to allow me to serve as Chair. That decision was made behind my back even before we sat down in public to take a vote. On Tuesday, March 17, as the selectman representative to the Budget Committee I reported to their regular monthly meeting. After serious consideration on Wednesday morning, March 18, I called alternate selectman representative Bridle and told him that I refuse to represent this Board because I no longer trust my colleagues and will not disrespect the BudCom by working with them under false pretenses. After a contentious year of poor relations with that Committee, I had offered to serve as your representative, relying on my many years of service as member-at-large, Chairman, and selectman representative. I hoped to bring a measure of co-operation so that the Committee would be better prepared to conduct 2016 budget deliberations this Fall.

At that March 17, meeting of the BudCom, I participated in discussions, answered questions, and listed inquiries from the members that I promised to follow up. I e-mailed Chairman Latimer the following day with the best responses that I could provide. While at that meeting I suggested, since we are starting a very important re-val year, that the BudCom members could profit by starting their work sessions in April with a presentation by Assessing Officer Ed Tinker. I had checked with Mr. Tinker before making that suggestion to see whether he would be open to such a presentation, and with his usual obliging spirit he agreed. Chairman Latimer followed up with him a few days after the March meeting and they settled on an appropriate format. I informed all of you that I made that suggestion. It seemed a non-controversial way to start the new budget year.

On Tuesday, April 21, I watched the telecast of the regular BudCom monthly meeting and was appalled by the arrogant remarks made by selectman representative Bean. After witnessing his comments and hasty departure from that meeting, leaving a flabbergasted group of elected officials in his wake - I give you the following considerations:

- 1) According to Mr. Bean's statement of record on April 21, he and Chairman Griffin made a decision that day to direct Mr. Welch to inform Mr. Tinker that "the Board" would not allow him to make his scheduled appearance before the BudCom that evening.
- 2) I was NEVER consulted by either of them before this unlawful action.
- 3) I have no idea whether Mr. Bridle (the alternate) and/or Mr. Waddell were consulted.
- 4) The Assessing Officer works in lieu of the BOS and NO Town Manager has any authority over him. This is an unacceptable position in which to place both the Manager and the Assessor.
- 5) Two members of this, or any other, Board have NO AUTHORITY to act outside the jurisdiction of all 5 equal members.
- 6) The Chairman of the Budget Committee was never notified in advance that Mr. Tinker had been forbidden to attend the April 21 meeting.
- 7) Mr. Bean, in his unforgivably insulting remarks to the Budget Committee, claimed that he consulted with Chairman Griffin and they ordered Mr. Tinker to not attend. He ranted about

the 2015 budget (a dead issue) – saying from now on HE orders that all requests from the BudCom go through him and he will only work with Chairman Latimer, and no members of the BudCom have a right to question department heads etc. Chairman Latimer had told her Committee members that all requests for information related to the budget must go through her, and she has a right to stipulate that for the sake of orderliness. But all members of any committee have rights as residents and taxpayers and can ask any questions of anyone in government at any time.

- 8) BudCom statute RSA 32:16 II “To confer with the governing body or bodies and with other officers, department heads and other officials, relative to estimated costs, revenues anticipated, and services performed to the extent deemed necessary by the budget committee. It shall be the duty of all such officers and other persons to furnish such pertinent information to the budget committee.” A selectman representative is meant to be a facilitator not a dictator.

I have more experience serving with and on the Municipal Budget Committee than any of you/all of you sitting here. I am appalled at the disrespect shown to the Committee, which sat in stunned silence, after outrageous statements by selectman Bean and his cowardly retreat at the conclusion of his remarks. It is illegal for selectman Bean and/or selectman Griffin, to make such a decision on his/their own without concurrence from this Board. And the manager was drawn in as party to this conspiracy against the greater interests of this Board. I am furious at the embarrassment inflicted on the most competent, outstanding Assessing Officer I have known since I entered public office in 1978. Mr. Tinker was told by the Manager, at the explicit direction of Mr. Bean, that “the Board” ordered him to not attend that night’s Budget meeting – an outright lie.

The mission of any and all elected officials is first and foremost to serve the best interests of the public. Personalities have no place in public office. This is not a men’s club. It is impossible to achieve any lasting benefits to a community when members of any Board sneak around behind the backs of other duly elected officials. And you are the Board that rejected my suggestion that we have a joint public meeting with the Planning Board to iron out areas of concern! We “aren’t supposed to tell other elected officials what to do”. Preposterous! I am 1/5th of this Board and I refuse to put up with sneaking, disrespectful, illegal conduct.

How am I to fulfill my oath to the taxpayers of Hampton? Did the public vote for conduct like this? We cannot continue to sanction this behavior and expect to accomplish anything this year.

Due to potential collusion on the part of selectmen Bean and/or Griffin, and the televised comments by selectman Bean on April 21, I demand his and/or their resignation from this Board. RSA 42:1-a I (requires removal of any member violating the Confidentiality provisions of the statute); and RSA 42:1-a II “. without limiting other causes for dismissal.”