

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

May 04, 2015

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

### SALUTE TO THE FLAG

#### I. Oath of Office EMS Officer Nathan Denio

Acting Chief Ayotte introduced Nathan Denio to be sworn in as the EMS Officer

Ms. Cypher administered the oath of office to Nathan Denio

Selectman Woolsey: congratulations to you Nate; and a thank you to Peter Wall the EMS officer that you are replacing.

Selectman Bridle: fine fire fighter; great paramedic; do excellent job servicing Hampton Fire Department as Emergency Medical Officer.

#### II. Public Comment Period (12:08)

Corinne Baker, Exeter Road: can no longer serve on Recycling Committee; frustrated by lack of mandatory enforcement; vote to continue committee; suggests selectman representative; rest room at North Beach; Exeter Road; wants Warrant Article for next year.

Mike Pierce: 84 Lock Road: selectman making inappropriate decisions regarding Budget Committee: Assistant Manager position decided in nonpublic meeting; \$2,000,000 NextEra settlement approved on consent agenda; transparency, abiding by statute right to know law.

Mr. Locke, Winnacunnet Road: wants bathhouse at end of Winnacunnet Road and no litter signs.

#### III. Announcements and Community Calendar (20:30)

Selectman Woolsey: a welcome back to her neighbors.

Selectman Bean: welcome back Selectman Bridle: clean-up of beach going well; fantastic community to live in.

Chairman Griffin: passing of Kathleen Larkin, she was great person, VNA nurse, helped a lot of people.

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#### IV. Consent Agenda

##### 1. Parade Permit: NH Towing Association 05/17/15

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

VOTE: 5-0-0

#### V. Appointments (22:55)

##### 1. Senator Stiles

Senator Stiles: heard message about bathroom don't think will see bathrooms at end of Winnacunnet Road, will follow up; will speak to parks about no litter signs; working on 4 goals; Article 242, adoption of budget through the SB2 process, it got through senate, looking to merge 2 bills together; possibly do away with deliberative session; capital budget to purchase land for Hampton Court; split Hampton and Exeter court; looking for land for 8 years; state property has been designated available; only secure land; Senate Bill 213 meals and rooms tax study; merged 2 bills to enable communities to put local tax on hotel occupancy; 8,479 business contribute to tax, 106 communities have less than 5 businesses, 28 communities have 1; 17 communities have 100 or more; Hampton has 353 businesses that contribute; study committee should be coming up; Senate Bill 191 been working with Senator Preston; state has piloted purchase card and decided to move forward with all agencies in state, would be from one central bank; municipalities and school districts could participate; currently in house finance; would get back average of 1.4%; trying to get unfunded liability paid faster.

Selectman Waddell: Bill 213 that is the important one? Senator Stiles: yes, they were going to kill it and I begged for a study.

Selectman Waddell: do you have many allies in the House? Senator Stiles: the House is a different place this year; they are pretty well staggered; they do great stuff.

Selectman Waddell: I agree 100%; 191 sounds complicated. Senator Stiles: I can leave you this list; Senator Preston brought it to me and we have been working on it for a couple of years now, trying to get polished up to move it forward.

Selectman Waddell: the budget, will it change a lot? Senator Stiles: I think it will change; the Senate operates a little differently than the house; they only have 3 weeks to work on it; we have from March to the end of May to actually pull the budget together; revenue running ahead; Senate did pass legislation to not raid the dedicated funds; Senate Ways & Means speaks to each senator; chair liked everything I put in, except for one thing.

Selectman Bridle: thank you for everything you do; I just got back from FL and stayed in 6 states and everyone had a local tax, there is no reason why we can't start doing that here; building up the taxes for the towns that actually support the revenue that comes in. Senator Stiles: that maybe one of the things that come out of the study committee; Senator Clark put that bill in she put in \$1.00 per hotel room; everybody said it has to be occupied; don't know whether will be \$1.00 or a percentage.

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Selectman Bridle: every one of the 6 states was a percentage; it varied different amounts for each state. Senator Stiles: the gal from the municipal association came in and supported the bill; she also had the list for all the state charges for the local tax.

Selectman Bridle: had a young lady hit me up tonight before I got in here talking about painting crosswalks down the beach on the boulevard in particular the one at about 581 Ocean Boulevard in front of Royal Sands; that one has not been painted in a couple of years, was concerned about her grandchildren and herself crossing the road. Senator Stiles: I will get back to you about that one specifically and then you can get back to her.

Selectman Woolsey: to Rusty what do they call the tax? Selectman Bridle: I can bring in the bills; some were local hospitality; local rooms tax; everyone had it a little different; it was specifically for the community it was raised in.

Selectman Woolsey: one thing that concerned me on SB242 I just wondered if it might inhibit the public from making amendments; people were inclined to make smaller amendments; I wonder if it would be too complicated? Senator Stiles: I don't know; when this committee gets formed, I would like the Selectmen to come up and speak to the committee and individuals from the individual towns; come in and speak.

Selectman Woolsey: participation is dropping off. Senator Stiles: a Hampton resident suggested requiring a certain percentage of the voters to be at the table in order to conduct business at the deliberative session.

Selectman Woolsey: 2-3 years ago state sponsored a Route 1A/1B study and were talking about possibly getting signs beautifying and making it consistent with New England so everybody would be happy to come to 1A and also putting signage directing individuals to uptown businesses; evacuation signs; hoping to enlarge Route 1A bridge; huge problem on drainage on Route 1A; complaints on dog waste could state consider putting disposal bags for animals along beach. Senator Stiles: they have them along the beach; the thing is to have people use them.

Selectman Woolsey: ban on smoking in state parks; is it possible to ask DOT to paint no parking here to corner at the end of the numbered streets; study commission on redesigning and handling the seawall.

Senator Stiles: there is a commission and will bring it up; DOT painting will ask about that; no smoking on beaches has been a big discussion; state parks piloted that up state, meeting not until fall, there has been some discussion about how much the government can tell you what to do; had drainage discussion recently, when we redo Ocean Boulevard drainage will be replaced; do an engineering study to see about what they are going to do about evacuation on bridge; evacuation signs would have to be cooperative effort between NextEra and DOT; will check into signage on 1A and 1B.

Selectman Bean: re-emphasis on NextEra pollution control \$1.2M; meals and room tax amazed that the Senate cannot command a subordinate department to provide data to fulfill the legislative agenda. Senator Stiles: the transparency of the meals and room tax can be part of the discussion; met with chairman of Senate Energy Committee and asked about putting an amendment onto one of their bills, he said he would look but doubted it very much because of the vote in the house, went to President and asked if he could include in budget, he doubted it; will continue to work on it.

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Selectman Bean: you heard from Charles about a lavatory; nice ones at Odiorne Point State Park and North Hampton Beaches, then one at end of High Street, but not another one until Ashworth Avenue; would like it to be put on the agenda about lack of public bathrooms.

Chairman Griffin: talking about drainage earlier with Senator Stiles; Durham DOT 2 trucks with 2 men went by, I went out and asked why they didn't stop at the 2 drains and he said those were below sea level; half hour later they pulled up and said they were going to try; they used the vacuum and it made a big improvement and they said they would be back; property next door is going up for sale, state could buy that and put the drains underneath and rest rooms there.

Senator Stiles: just wondering if the bathroom is too close to center and it is needed more so at the end of Winnacunnet. Chairman Griffin: it is a mile from there, but there isn't any land in between; thank you so much for coming tonight.

Senator Stiles: I will get back to you on all those issues and thank you for letting me come in.

2. Acting Chief Ayotte & Captain Kennedy Fire Department (1:05:10)

a. Departmental Update

Acting Chief Ayotte: thank you for allowing us to bring forward Nate Denio and his family to come in, he has served since 1998; became paramedic in 2007; EMS officer great responsibility; provide medical services; EMS Officer Pete Wall retired April 30, 2015, served for 13 years; 2014 busiest on record; as of 4pm today have had 56 more calls than last year at this time; 717 fire calls year to date an increase of 128 calls from last year; started seasonal maintenance on the apparatus; have aging fleet; have received 2 bids on new pumper; continue to make progress in fire prevention; checklist completed and handed out to all customers; will be placed on website this week; flow chart/productivity report; following up with phone calls.

Selectman Woolsey: are we going to get a walk-in medical report from Nate Denio when he gets situated.

Acting Chief Ayotte: if they are treated they have to sign report; you are actually seeing a report just not the location.

Selectman Woolsey: you are tying up personnel time; is there any interaction with the state health inspector? Acting Chief Ayotte: not typically with our office; Kevin Schultz is the health inspector for the town; Captain Kennedy and I have been filling in for inspections; reviewing plans; seasonal businesses looking for inspections; submit budgets within the next 7-10 days; members are recovering from long time injuries.

Selectman Bridle: can you explain how mutual aid works and why it is so important?

Acting Chief Ayotte: we are a really great fire department, but certain things we can't do; if we have house fire we have 2 engines and ladder truck, we needed mutual aid on Hampton Locke Road fire; some communities don't have ladder truck so we bring ours; west side of 95 is a non-hydrant district so we need water and we don't have a tanker truck, so we need help from Hampton Falls who has one; we share resources.

Selectman Bridle: If we had regionalization, we would lose control; with our own fire department; mutual aid is much better way to run department; we had a call force a long time

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ago; we have gotten better at fire prevention. Acting Chief Ayotte: paramedic is a very rewarding job, but not highly paid and they move on to nursing and PA school; it cost almost \$16,000 to send someone to paramedic school.

Selectman Bridle: Stratham's problem trying to run system with volunteers, it is not happening; they are relying more on the communities around them.

Chairman Griffin: earlier Mr. Stone asked about an ambulance at the beach, are you planning on having one this summer? Acting Chief Ayotte: not at our current staffing; right now, we have 3 people at the beach and that is currently where our paramedic is located; we still provide medical care.

Chairman Griffin: are you suggesting that the call time is less than 7 minutes to the beach? Acting Chief Ayotte: significantly less; they would have medical care within two minutes.

Selectman Waddell: thank you for everything you do; report is super; coming into busy season. Acting Chief Ayotte: Yes, we are certainly going to be busy, but are right on top of it.

Selectman Bean: thank you for your leadership and Stephanie Welch doing a great job.

Selectman Woolsey: how many men do you have out on disability? Acting Chief Ayotte: 6

Selectman Woolsey: do you think the staffing level is going to be a problem with the ISO rating coming up? Acting Chief Ayotte: we are at the same place we were last year; we would like to have 9 staffing and would like to make Stephanie full time, as the job warrants it.

Selectman Woolsey: concerned about the hose. Acting Chief Ayotte: almost nothing in this world is fire proof, it is fire retardant; they have not identified solution only the problem; top engineers and scientists are looking at it; technology is not there yet; hose testing is very important; some of our hose is 30 years old but is still testing; with new engine would get a new hose.

Selectman Woolsey: thank you so much and am proud of the department.

Chairman Griffin: everyone has been talking about how impressed they are with the difference at the fire department now; thank you very much.

3. Ed Tinker, Chief Assessor
  - a. #2015-03 - 1<sup>st</sup> Half 2015 Tax Warrant

Mr. Tinker: I have 4 items for your approval; tax warrant for 2015 in the amount of \$25,487,660; if anyone has any questions I could answer those.

Selectman Woolsey: this is the first half of 2015; so we are looking at \$50,000,000 to \$51,000,000 total for the year. Mr. Tinker: at least, the second half is depending on the new tax rate.

Selectman Woolsey: so this is the second portion at the end of 2014's tax rate, so any changes we see won't happen until December and the final billing. Mr. Tinker: correct

Selectman Woolsey: we are talking about over \$50,000,000 going through the tax collector's office? Mr. Tinker: yes

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Selectman Bridle MOTIONED to Approve the 2015-03 - 1<sup>st</sup> Half 2015 Tax Warrant SECONDED by Selectman Woolsey.

VOTE: 5-0-0

- b. Report of Cut - Tax Warrants: #2015-01 Gabriello Gabrielli 95 Drakeside Rd; #2015-02 Nancy J Bottom 1980 Trust 478 Exeter Rd

Mr. Tinker: I have 2 reported cuts which have tax warrants assigned to them the first being 95 Drakeside Road of \$21.00; the second is larger at 478 Exeter Road is \$2,647.78.

Selectman Bridle MOTIONED to Approve the Report of Cut - Tax Warrants: #2015-01 Gabriello Gabrielli 95 Drakeside Rd; #2015-02 Nancy J Bottom 1980 Trust 478 Exeter Rd SECONDED by Selectman Woolsey.

VOTE: 5-0-0

- c. Barn Preservation Easement 79-D: George N. Simonds Revocable Trust 1 Wayside Farm Lane

Mr. Tinker: this is a barn that went into preservation easement in 2004; delay in getting new one beginning in 2015 at Wayside Farm; no additional tax impact, just a renewal of the 10 year barn easement.

Selectman Bridle MOTIONED to Approve the Barn Preservation Easement 79-D: George N. Simonds Revocable Trust 1 Wayside Farm Lane SECONDED by Selectman Woolsey.

VOTE: 5-0-0

- d. 2014 Abatements: 2014-02 563 Exeter Rd Robert Krieger; 2014-03 5 Stowcroft Dr GT Revocable Trust of 1996; 2014-04 19 Juniper Lane Stacey Martin; 2014-08 893 Ocean Blvd Lynne Gallipo Family Living Trust

Mr. Tinker: I have 4 abatements all proposed refunds totaling \$1,574.67; I have 6 abatements remaining since 2014 those will be presented no later than the end of June; smaller number than usual as we are leading up into the reval.

Selectman Bridle MOTIONED to Approve the 2014 Abatements: 2014-02 563 Exeter Rd Robert Krieger; 2014-03 5 Stowcroft Dr GT Revocable Trust of 1996; 2014-04 19 Juniper Lane Stacey Martin; 2014-08 893 Ocean Blvd Lynne Gallipo Family Living Trust SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Mr. Tinker: we have employed a contract assessor who began working in the field; Jarod Hines from C & J Services started today; should be a benefit having an additional person in the field.

Chairman Griffin: so you are very busy with the reval? Mr. Tinker: yes, the reval has officially begun for us.

Chairman Griffin: seeing a lot of activity in your office? Mr. Tinker: yes, we are finalizing the contract with Vision; preparing to analyze the sales.

## VI. Town Manager's Report

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1. At the request of the Board of Cemetery Commissioners, the tree removal contract for the Pine Grove Cemetery has been cancelled.
2. For those concerned about the condition of the Town's North Shore Seawall located at the end of the State's seawall, the replacement has been scheduled in the Capital Improvements Plan for 2016 and based on a prior engineering evaluation and preliminary report; the cost is estimated upwards of \$500,000.
3. The State has set their base valuation of the Town at \$3.029 billion. The State has also estimated the population of Hampton at 15,120 for 2013 based upon the US Census that represents a change of 9,741 permanent residents since 1960 making Hampton the eighth most densely populated municipality in the State.
4. In addition to those items I have scheduled a public hearing on Monday May 18, 2015, at your request to address items for the seawalls.
5. Aquarion Water Co. today sent notice, replacing water mains on Ross Avenue; part of Kings Highway at 11, 13, 14, 15 Streets.
6. Have done complete inventory of the waste water treatment plant; we have \$7,672,927 worth of materials; going into our inventory and our insurance requirements.

Selectman Woolsey: driving up Route 1 noticed some great crosswalk signs; are they town or state? Town Manager Welch: town

Selectman Woolsey: they stand out; very nice. Town Manager Welch: state will not allow those on state highways.

Selectman Woolsey: Eco Maine starting July 1<sup>st</sup>; are they going to take furniture. Town Manager Welch: the contract is still running through legal, but working on it, they take Christmas trees and leaves also; looking into all of that.

Selectman Waddell: during public comment somebody talked about Exeter Road, that is just temporary right? Town Manager Welch: Yes, the patching is just temporary; going to grind down portions of the road to make it uniform; then put down base of material and then the finish; about 30 days we are expecting to start that.

Selectman Waddell: some people were confused that filling the potholes was the work. Town Manager Welch: not the work; will be a professional paving job; looking at a number of different options on the sewer line; have to do the drainage facility and the catch basin.

Chairman Griffin: there is a movement for the Montrone land; will be a lot more resources; especially how it is classified.

## VII. New Business

1. Hampton Beach Village District Municipal Parking Lot
  - a. Use of Tax Map 293 Lots 166-1,167-1, 172-1 and Map 296 Lot 3-1

Town Manager Welch: board has received a letter from the counsel for the Precinct; under state law both the Board of Selectmen and the Planning Board have the right under 67454 with proper notice to have a hearing to explore the proposed municipal parking at the beach; probably belongs more to the Planning Board; advisory hearing is for another governmental body; allow Planning Board to hold hearing.

Chairman Griffin: Selectman Waddell can bring it to the Planning Board.

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2. Anonymous \$500.00 Donation to Fire Department Acceptance
3. Anonymous \$500.00 Donation to Department of Public Works Acceptance

Selectman Bridle: thank you to the donor; these were given for the good work from both departments.

Selectman Woolsey: donor said wished the check be used to buy equipment; can we do that?  
Town Manager Welch: by accepting these you are accepting them with the condition they be used for the purpose of which they were donated.

Selectman Bridle MOVED to Accept the anonymous \$500.00 Donations to the Fire Department and Department of Public Works SECONDED by Selectman Waddle.

VOTE: 5-0-0

4. Waiver from Purchasing Policy Sections 718-4.B(1) and 718-4.B(2)
  - a. Bid 2015-003 Asphalt Paving Award to GMI Asphalt, LLC

Town Manager Welch: relates to bids that were open to the paving of Exeter Road as well as the other 3 streets Fairfield, Ruth and Belmont; lowest bill was from GMI Asphalt, LLC \$105,377.45; we recommend that you accept the proposal; exceptionally good price; plan to do by June; probably close down one side of Exeter Road and then the other side; going to do whole thing in probably 2 days; alternating traffic.

Chairman Griffin: does the town purchasing policy need to be looked at; there seems to be constant criticism. Town Manager Welch: we deliberately send them to the companies with a request that they bid; some are not interested working in Hampton; Pike Industries are concentrating all their efforts with the State; they did not bid on any of these programs; if we start the program increasing our paving throughout the year then we will see 3 or more bids and the larger companies will be interested; 3 or more bids is goal; don't think we need to change policy; we call and request that they bid; we have increased bidding requirements.

Selectman Bridle: the prices are lower than original estimate, and that money would have to be spent on Exeter Road; the other money we got from the grant we could potentially see other roads paved. Town Manager Welch: that is correct; we are looking at a fall major paving program; we have a number of roads in town that need paving; we need to put out \$500,000 to \$1,000,000 for paving a year to catch up.

Selectman Waddell: only 2 companies bid; we are sure these companies are reputable and can do a good job. Town Manager Welch: GMI is a reputable company and I have done business with them on various other projects in NH; we checked their references; the other vendor made error on the bid form, but equaled to \$107,000.

Selectman Waddell: if we were to get 3 bids that would just delay the project. Town Manager Welch: Yes, it would be fall. Selectman Waddell: to expedite we really should look at this. Town Manager Welch: will save money in the end; only have 3 employees to repair potholes.

Selectman Woolsey: the block grant figure? Town Manager Welch: \$264,000. Selectman Woolsey: wondering on the figures to do Exeter Road only \$40,000 that seems awfully low. Town Manager Welch: they bid it; that will allow us to do additional work on Exeter Road.



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Selectman Woolsey: this gives us the ability to do the loop road and the 3 that has to be done; there is \$250,000; Tuck Field loop came out of the appropriation for the recreation department; Fairfield, Ruth and Belmont will come out of the block grant; and Exeter Road will come from the special appropriation so the total is \$105,377; what we will look at when all done what can we do to improve Exeter Road with the funds left over; additional paving; sidewalks to fix; ramps to side roads to fix; driveway ramps; road edges and it appears that will have funds to take care of those problems.

Selectman Bean: commend your leadership and Superintendent Jacobs for striking harder bargains; thank you Mr. Welch.

Selectman Waddell MOTIONED to Approve the waiver from Purchasing Policy Sections 718-4.B(1) and 718-4.B(2) for the Bid 2015-003 Asphalt Paving Award to GMI Asphalt, LLC SECONDED by Selectman Bridle.

VOTE: 5-0-0

### VIII. Old Business (2:03:00)

#### 1. Committee Appointments

Town Manager Welch: one committee left the Education Recycling Committee.

Selectman Bridle: we saved this committee last year and have heard nothing from them; I think they have done their job and I think it is time to thank them, but it is time to move forward.

Selectman Woolsey: on goals night the recycling committee didn't understand they missed it, I suggested they may want to make an appointment to talk to us and I said the concerns for all the committees looking for minutes and meetings posted properly; looking for memo.

Selectman Waddell: have they been doing anything all year; do we have correspondence from them.

Town Manager Welch: they have been having some meetings; have no minutes; nothing posted on web site; I have seen them meet. We are about to go into a new contract for solid waste I think we should meet with Eco Maine and if they feel they need to work with a committee from the town; then we could reinstitute the committee.

Selectman Bridle MOTIONED to disband the Education Recycling Committee SECONDED by Selectman Waddell.

VOTE: 4-0-1 (Woolsey)

Chairman Griffin: Zoning Study Committee and they want to have a selectman representative; I suggest it be the planning board person.

Selectman Waddell: how about the alternate? Selectman Bridle: I am also the alternate for the budget committee; so I have no problem taking it on.

Selectman Waddell MOTIONED for Selectman Bridle to be the Selectman Representative to the Zoning Study Committee SECONDED by Selectman Bean.

VOTE: 4-0-1 (Bridle)

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Chairman Griffin: Deputy Town Manager Sullivan is working on committee information. Town Manager Welch: yes he is working on committee information so that we have a set policy; timeline on how to operate things and put them on line and so forth.

## 2. Selectmen's 2015 Goals (2:09:30)

Chairman Griffin: do we have a synopsis for the Selectmen's Goals? Town Manager Welch: it is in your packet for this meeting.

Selectman Woolsey: I would rather hold on that if we can. Chairman Griffin: let's wait until next time. I thought that we would bring up last week and the Budget Committee; didn't bring up further because Mr. Bridle wasn't here; should go over what is the plan.

Selectman Bean: last week Selectman Woolsey talks about minutes and procedures, she stepped aside for the Budget Committee and it was my turn; talked about command and leadership; expose full transparency; spoke prior to the meeting with Mr. Welch and Mr. Griffin and discussed communication; all departments report to Mr. Welch; operational administrative control over the departments lies with Mr. Welch, Mr. Griffin and the Board of Selectmen; institute information requests from the boards would enhance budget process; 50 people on boards and committees calling different department heads; happy to follow boards preference.

Chairman Griffin: Mr. Welch how do you understand that the process about the employees going to town committees. Town Manager Welch: my understanding is the chairman of the Budget Committee would ask chairman of the Board of Selectmen and the selectmen would consider it and would pass down to those involved; the liaison between the chairman's and that would go through the selected selectmen; from that would be instruction to this board or instruction from that group to carry out the functions talked about.

Chairman Griffin: do you feel it is more important for the employees to go after the summer when the budget has started moving? Town Manager Welch: now is probably the worse time of year for any of us to be going anywhere; Mr. Tinker in the middle of a reval; various departments are very busy and won't slack off until we get into the budget detail; working on warrant articles; I am keeping the folks that report to me very busy; try to get things done as quickly as possible; level of command on the selectmen's board is important so you have consistency on what is going on, I make sure my department heads get their work done.

Chairman Griffin: I have watched all the Budget Committee meetings and not sure if they are meeting this summer; have spoken to some members and they are under the assumption there won't be meeting much this summer.

Selectman Waddell: I think a line of command is important; it is important since we have representative for the various committees that the committees go through those representatives; becomes counterproductive.

Chairman Griffin: that is how we were operating last year and not just this year.

Selectman Bridle: I totally agree that it makes a smoother operation if the employees come through the representative that is on the board; whichever board it is; if the Planning Board has information they should come through Jim; Budget Committee should come through Phil; a lot more productive.

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Chairman Griffin: we do seem to have a consensus that this was the way it was done last year and this year.

Selectman Woolsey: the way it was done last year was that Mr. Waddell was the representative; constant complaints about the Budget Committee; do not remember Mr. Waddell coming to us for any of the meetings; been elected to Budget Committee 7 times; I have asked this board to get together with the Planning Board in public; the municipal budget law is RSA 32 no stipulation in that law that stipulated that the chairman of Budget Committee to go through anyone; the mission is to confer with other departments and department heads; a representative to Budget Committee to this board; go to meetings legitimate voting member of committee; I have never seen a chairman of the Budget Committee undercut by some members of the board of selectmen; I came to you after all the complaints and the uproar of last year and told all of you in effort to try to calm things down hold a non-controversial meeting as a kickoff for the new year with reval coming up; none of us has any business interfering directly with the chairman of the Budget Committee, that is out of line and that was done without my knowledge; I think what was done was illegal for some members of this board to act without myself; I asked Ed Tinker who told you this.

Chairman Griffin: point of order; we are discussing what the policy of this board is, of this year? Selectman Woolsey: the policy of this board. Chairman Griffin: Mrs. Woolsey I am talking now.

Selectman Woolsey: and you told me I have the time to talk now; I am going to talk and finish my comments here; we have no authority in anyway shape or form to interfere with the Budget Committee; to pull a guest speaker before the Budget Committee, and yes he does work for the Board of Selectman; to pull that person without the knowledge of the entire board and without contacting the chairman of the Budget Committee; I would pay money to hear a telephone conversation between a representative from this board and the chairman of the Budget Committee if she were called on Tuesday afternoon and told we are not going to let the assessing officer go to your meeting tonight; you have wasted a whole meeting for the budget committee; I say to you that it is illegal to do any of this; whoever you want to report to who, it is illegal for you to do any of this behind my back; you could have called a meeting there are 3 of you and 1 of me, Rusty was out of state, and if you wanted to try voting and saying we were going to pull the assessing officer I would have been out voted; but I will say and say we have counsel here and I believe it is absolutely illegal to do behind my back and interfere with an individual who was booked onto the Budget Committee; language in the statute is crystal clear.

Chairman Griffin: ok you have had your say; what you don't understand we did this all last year. Selectman Woolsey: no you didn't do this last year. Chairman Griffin: I am sorry Mrs. Woolsey we did, I was the one that invited the Planning Board, they have no interest in coming here. Selectman Woolsey: that is fine but we weren't talking about the Planning Board. Chairman Griffin: you just mentioned about the Planning Board and Mr. Waddell. Selectman Woolsey: about interfering. Chairman Griffin: Mrs. Woolsey you have had your time, please you are out of line again; Mr. Waddell would you like to speak.

Selectman Waddell: we are just beating a dead horse here, we went through this all last week; if someone thinks it is illegal then they should do whatever they need to do. Chairman

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Griffin: and now we will ask the lawyer; the Town esquire. Selectman Woolsey: the lawyer. Chairman Griffin: Mrs. Woolsey, please.

Attorney Gearreald: the Budget Committee operates within a certain context; that context is developing a budget, but the way this Town does it as so many others do is the manager develops a budget, it is passed to the Selectmen and then it goes to the Budget Committee, and so that is the way it has always has been done and is proper; what the Budget Committee (and I have listened to their minutes as well) is proposing, is to have a group of subcommittees that will be roving throughout the departments in the Town and whenever they deem they want to come and have the department head be involved, that is no way to run a railroad, the Budget Committee is not the Board of Selectmen and is not the Town Manager; their approach it seems to me is to try to essentially act in your role or the Town Manager's role; we have just gotten a budget in March, the budget we have to live with for the year and the Budget Committee is already starting in with these subcommittees which several years ago met in the summer and we are on this approach of them getting into the weeds operationally with the departments, which is disturbing; we had department heads that last year spent hours in front of the Budget Committee. They voted our budgets and then what they did in the last half hour of the last meeting was to undo it and it appears that our entire time last year was wasted; that is not exactly answering the legal question, but I am answering to you what the perception is of the department heads who were put through this and now the Budget Committee proposes to meet during the summer with these subcommittees, come to the departments and essentially interfere with operations; there needs to be control; yes there are all these obligations under the Budget Committee law to confer with the Budget Committee, to supply information to the Budget committee, but operationally there has to be a way to do that in an appropriate manner; that is what Mr. Bean communicated quite clearly to the Budget Committee, they may not like it but that is operational and what the Manager needs to do and I think what this Board needs to do in order to run the Town; there is consideration for operational matters and this Board runs certain departments directly (my own and the assessors) and I think has a voice in how those departments interact and how we appear; the Manage is in charge of the other Departments. Mr. Bean has accurately put forth to the Budget Committee what the lines of communication are, he didn't say that the Board would not give the information: he set up a frame work on how they are to ask for that information to receive it.

Chairman Griffin: I would just like to say that, and I am not blaming Mrs. Latimer, but she or no one contacted me as the chairman about it at all; and my time talking with Phil was just to affirm this has been was the way we have done it; do we need to make a motion or is their consensus enough.

Attorney Gearreald: I think since it directly involves 2 of the departments that the Board operates and also the manager's role, it would be helpful to affirm Mr. Bean's approach as being the representative of the majority of what this board feels is appropriate.

Chairman Griffin: ok, I would like to also say if there are times when Mr. Bean is unable to go to the Budget Committee, Mr. Bridle is the alternate and he will gladly fill in any time.

Selectman Woolsey: is it legally acceptable for some members of this 5 member board to order an employee of this board to not appear before the Budget Committee on the day of the actual meeting when his appearance was scheduled a whole month ahead of time; first of all I

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question the legality of leaving out one member of this board with that decision; I believe it was flagrant; I have no problem with your statement of having people running around and disrupting departments; this was a single individual who had been booked on for the entire month.

Chairman Griffin: we understand. Selectman Woolsey: well you don't understand, because you can't keep going behind my back.

Selectman Woolsey: right to know.

Selectman Bean: point of order Mr. Chairman.

Selectman Bean: point of order and equally in your response counselor that it is not appropriate to assert a customary practice; conversely, what right does one member have to schedule that employee that being Mrs. Woolsey for the month before she quit the Budget Committee:

Selectman Woolsey: I didn't schedule him, I suggested it. Chairman Griffin: you don't have the floor. Selectman Woolsey: I told every one of you. Chairman Griffin: you don't have the floor Mrs. Woolsey. Selectman Woolsey: too bad, I told all of you. Chairman Griffin: you are out of line Mrs. Woolsey. Selectman Woolsey: well I have a reason to be annoyed. Chairman Griffin: you are out of line. Selectman Woolsey: I say what you did is illegal. Chairman Griffin: you are out of line. Selectman Woolsey: illegal.

Chairman Griffin: we are here to do the town's business and if you would like to be part of this board you are always welcome; you are out of line now; do we have a motion.

Selectman Woolsey: I want to hear counsel's answer please.

Chairman Griffin: I thought he did, I heard it.

Attorney Gearreald: I said it would be helpful if this Board would vote to indicate that what Mr. Bean has articulated is your approach for having people that work for you and work for the Manager on how they would go before the Budget Committee.

Selectman Woolsey: what about 91-A?

Selectman Bean MOTIONED to give the Selectmen's Representatives authority to be the point of contact on each board they represent SECONDED by Selectman Waddell.

VOTE: 4-1(Woolsey)-0

Selectman Woolsey: I want an answer please from counsel. Chairman Griffin: Mrs. Woolsey you got your answer. Selectman Woolsey: I don't have an answer I would like an answer from counsel. Chairman Griffin: we are not going to beat a dead horse here; you need to take it up with the attorney on your own time. Selectman Woolsey: it is the law, no I can ask counsel in public, and I have not received a reply for 91A is every member of this board entitled to the same information.

Attorney Gearreald: I think whenever an attorney is asked a legal opinion that is directed to a certain outcome it is important to know all the facts; as I understand it from last week, Mr. Bean had been given the authority as the Board's representative to direct the responses of this Board to the Budget Committee.

Selectman Woolsey: when was that vote taken; someone show me in the minutes.

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Chairman Griffin: it was a consensus, for the whole last year that is how we operated.  
Selectman Woolsey: no, you are deliberately taking a vote on this now.

Chairman Griffin: we are now because you are causing issues here; you didn't complain all last year when it worked this way. We are moving on. Selectman Woolsey: it didn't work this way; no, you have not included me in this discussion.

Chairman Griffin: we have discussed it and we are moving on; there has been a motion made and you voted against it. Selectman Woolsey: what happens next when you are doing something and you are not notifying.

Chairman Griffin: we are moving on, we have other business to do.

Selectman Woolsey: you never notified me as Chairman of this board.

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

Town Manager Welch: counsel has information for the board as requested by you.

Selectman Woolsey MOTIONED I hereby move to approve of the Decision Denying Layout provided by town counsel as same reflects what the majority of the Board discussed and voted on April 20, 2015 and noting also that the Petition for Release of Dedicated Way filed by Attorney Durbin is also denied for the reasons stated in the Decision SECONDED by Selectman Bridle.

Selectman Bean: Attorney Gearreald did a fabulous job.

Selectman Waddell: since I voted against it originally, I would just vote against it again.

Attorney Gearreald: you don't have to; it is reflecting the board's 3-2 vote; you can say it does even though you may not agree.

VOTE: 4-1(Griffin)-0

X. Closing Comments

Attorney Gearreald: suggested at close of the meeting a motion be made to go into non-public session RSA 91-A:3,II, (c) and (e) matters which if discussed in public would likely adversely affect the reputation of any person and would also include litigation matters.

Selectman Waddell: we need to move ahead that there was no secret meeting; no secret meeting taken place on the election of the chairman of board; much more important issues then to sit here and argue about foolishness; if the individual feels that there is a legal thing they should take whatever actions they deem necessary.

Selectman Bridle: I totally agree with Jim Waddell; time to move on; it was stated that I said there was a phone tree I never said that, but yet it comes out in the newspaper that I said things that were not true. This Board needs to move on.

Chairman Griffin: I agree with both selectmen; there have been no meetings; time to move on and conduct business as necessary and this paranoia that seems to be coming here to the board has got to stop.

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Selectman Woolsey: I would just like to be notified when someone is doing something, even if it is just a phone call.

Selectman Bean: the line of communication will suffice; I would like to ask you Selectman Woolsey to accord the chair of the Selectmen of the Town of Hampton; our families are here; the chair is a valid public servant; the demeanor is unprofessional it casts a diminished pall; I wish you Selectman Woolsey would rise to the level of cooperation with as little as 6 weeks ago you said this was the best board you worked with; rise to your potential.

Selectman Woolsey: how long would it have taken to pick up the phone?

## XI. Adjournment

Selectman Waddell MOVED to ADJOURN at 09:39PM SECONDED by Selectman Bridle.

VOTE: 5-0-0

At approximately 9:30 PM, a motion was made by Selectman Bridle to go into a non-public session under RSA 91-A:3,II,(c) & (e) after closing comments; this motion was seconded by Selectman Bean. A roll call vote was taken with all in favor.

On motion by Selectman Bridle and seconded by Selectman Waddell, the Board voted unanimously to seal the above minutes under RSA 91-A:3, III on grounds that divulgence of same might render the proposed action ineffective or adversely affect the reputation of a person.

The non-public session adjourned at 9:55 PM, and the public session was not rejoined.

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Chairman