

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

July 13, 2015

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

7:00 PM

SALUTE TO THE FLAG

I. Public Comment Period

Betty Moore: Hampton Historical Society celebrating 90th year, on July 18th having birthday bash at Tuck Museum 1-5 all welcome; Congregational Church having lobster bake dinner July 18th at 5:00 proceeds to benefit town clock project in honor of Cliff Pratt.

II. Announcements and Community Calendar (8:23)

Selectman Waddell: the article on June 30th on the number of rescues life guards made, congratulate them on a job well done.

Selectman Bridle: the past 2 weekend's we had great weather and the Beach was very busy, would like to thank our public employees.

Chairman Griffin: would like to thank Betty Moore for all her hard work at the Tuck Museum.

III. Consent Agenda (9:45)

1. 26 River Ave Lease Land
 - a. Termination of Lease for Leased Land
 - b. New Leased Land Lease
2. Kids Run the World 5k Race
 - a. Request to Rescheduled to August 16, 8:00 AM
3. License for Coin Operated Amusement Devices
 - a. Tidewater Campground LP 160 Lafayette Road
 - b. Hampton Family Fun Center 169 Ocean Blvd
 - c. Bob's Amusements 169 Ocean Blvd
4. Dance Hall Permit
 - a. Cloud 9 Bar and Grille 225 Ocean Blvd
5. One Day Entertainment Licenses
 - a. Cloud 9 Bar and Grille – 07/16, 07/17, 07/17 (Full Entertainment License Pending)
 - b. Cloud 9 Bar and Grille – 07/23, 07/24, 0/25

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6. Taxi Business License
 - a. ABBA Taxi - Diane Bushe
7. Taxi Operators Licenses
 - a. ABBA Taxi - Ricky A. Bushe
 - b. ABBA Taxi – John W. D’Entremont
 - c. ABBA Taxi – Joseph R. Frechette
8. Seafood Festival Vendor Licenses
 - a. Big Steve’s Italian Sausage – 193 Ocean Blvd
 - b. Air Brush Underground 205 Ocean Blvd
 - c. Beach Bums – 215 Ocean Blvd
 - d. Jewel Box – 215-C Ocean Blvd
 - e. Tates – 225 Ocean Blvd
 - f. Chillax – 225 Ocean Blvd
 - g. Tibet Boutique – 239 Ocean Blvd
 - h. Decalcomania (Mad Maggie’s) – 243 Ocean Blvd
 - i. Mrs. Mitchel’s - 285 Ocean Blvd
9. Permit for Use of Town Property License
 - a. Safe Wheel Driving School “Static Display”– Academy Ave Parking Lot 07/21/15

Selectman Bridle MOTIONED to move the Consent Agenda SECONDED by Selectman Waddell.

VOTE: 5-0-0

IV. Approval of Minutes (10:33)

1. June 25, 2015 Public Session

Selectman Woolsey MOTIONED to approve the minutes of June 25, 2015 Public Session SECONDED by Selectman Bridle.

VOTE: 5-0-0

2. June 29, 2015

Page 2: Correct spelling of “Desilva”

Page 4: Clarify paragraph 2, regarding line item for paving “need to put money in the paving line to keep it open”.

Selectman Woolsey MOTIONED to approve the minutes of June 29, 2015 as amended SECONDED by Selectman Bridle.

VOTE: 5-0-0

V. Appointments (12:59)

1. Charlie Gasperoni, Eagle Scout Candidate
 - a. Presentation of Eagle Project

Mr. Gasperoni: explained that he would like to build an informational kiosk at entrance to White’s Lane; reclaim Warren’s Trail off of Barbour Road next to the Hampton Victory Garden; install (2) You Are Here style signs at the entrance of Jonty’s Lane off of Barbour Road and Warrens Trail; already has the Conservation Commission’s approval.

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Selectman Waddell: excellent proposal and is fine with it.

Selectman Bridle: when do you want to start and hope to have finished by? Mr. Gasperoni: I still have more approvals; my troop's committee approval and the eagle board's approval; before the ground is frozen.

Selectman Bridle: how many hours will it take to do this? Mr. Gasperoni: 5 eight hour work days with about 10 people.

Selectman Woolsey: done a great job; very impressive.

Selectman Bean: keep up the good work and thank you.

Chairman Griffin: very attractive and be a major asset to the town.

Selectman Woolsey MOTIONED to approve the Eagle Project's by Charlie Gasperoni SECONDED by Selectman Griffin.

VOTE: 5-0-0

2. Chief Sawyer and Deputy Hobbs, Police Department (17:00)

a. Departmental Update

Chief Sawyer: no change in full time staffing; 2 officers were selected to serve as corporals; one officer out on medical should return soon; one detective finished year at academy; an officer has been selected for detective and will do a year at academy for training; 33 part time staff; 2 on leave of absence and 1 with health issue, so have 30 part timers working; 7 attending video conference academy at Hampton, but after September classes will only be held in Concord and was once free now will be fee based; calls for service up 8 ½%; arrests up 18%; DWI up 72%; drug offences up 66%; incidents reported down 5%; total offences up 13%; felonies up 14%; motor vehicle stops up 4%; parking tickets down 15%; accidents down 11%; 5 overdose deaths this year; July 4th weekend was busy and successful; would like to thank surrounding communities for assistance and also Public Works.

Selectman Bridle: I was at the beach and the guys did a great job.

Selectman Woolsey: did the plea for parking people have any results? Chief Sawyer: yes, we have the supervisory position filled; we have plenty of applications and are going through the interview process.

Selectman Woolsey: any idea when? Chief Sawyer: hoping for next week.

Selectman Woolsey: once this is in place this year, then next year it can begin at the beginning of season. Chief Sawyer: have submitted my initial budget proposal to Finance Dept, and it does include parking enforcement.

Selectman Woolsey: visibility of department uptown; serious problems on Sanborn Road; air rifles discharged and they could have the velocity of a 22. Chief Sawyer: that is not an illegal activity so no police action would be warranted; nobody has contacted me and I know you want to advocate for them, but their first call should have been to the police department. I have reviewed our calls for service since January 1st from Sanborn Road and we have had 3 calls; I understand the situation might be traumatizing to the residents but you have to pick up the phone and call; only 1 call for a disturbance for the residence in question.

Selectman Woolsey: it has been an ongoing problem, thank you.

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Selectman Bean: great job, great force, great leadership; how is your first summer with both of you in your command element? Chief Sawyer: I am good, the Deputy is a little shaky.

Selectman Bean: I don't hear any complaints; been all over town and the beach, observed your force and they have done an exceptional job. Chief Sawyer: I appreciate it; on the complaint issue as I would tell any citizen if you have a complaint call us; if I don't know the problem it is hard to address; you need to call and let us know and we will act on it.

Chairman Griffin: people don't like to complain and I tell them you are not going to get results unless you do.

Selectman Waddell: good report; thanks for everything you do; what is the optimal staffing number? Chief Sawyer: 34 has been; part time staffing we are committed to have up to 70, but the most I have seen is 55-60; probably will be down to 25 at end of summer because we lose many to other departments; 2014 we hired 8 officers and there are only 3 left; 2012 were a dozen hired and only 1 left; we have no hires left from 2004-2011; we put out a quality product because of our great training program; it is a constant battle.

Selectman Waddell: in a case like that we can't compete? Chief Sawyer: other departments know we put our part time officers through the same training as the full timers; it's a money game; costs money to recruit and costs money through all the processes.

Selectman Waddell: the video training conference ending, do they feel it is not doing the job or is it a money issue? Chief Sawyer: it is a money issue; police academy is funded by the penalty assessment fund; tickets written for speeding or whatever they maybe; because of reduction of officers the numbers have dramatically dipped, so the funding for the police academy has become in jeopardy; the fee to simulcast is expensive, so the only place training will be held is in Concord; my opinion is will make recruitment even harder.

Selectman Waddell: DWI and drug offences up, do you think it is a real problem since the percentage is up substantially? Chief Sawyer: the DWI issue is I think a reflection of issues facing at Hampton Beach; the over serving of alcohol is a problem; when a DWI arrest is made we try to ascertain where they had been drinking; have seen some improvements and have had discussions with some licensees in the area to let them know we are taking this seriously, most are responsive; trying to control in a cooperative way. The drug offences is the issue with heroin, more deaths this year then all of last year and it is only July; marijuana is still a criminal offence in NH; most arrests are from out of state.

Selectman Woolsey: if a customer is over served and goes out and gets in an accident can't the establishment lose their license? Chief Sawyer: absolutely, there is a degree of criminal and civil liability, but it is difficult to prove; we have done sting operations also by sending under aged decoys in to see if they are doing their jobs. We ran a sobriety checkpoint and still arrested a dozen people.

b. Donation Acceptance \$1000 from Hampton Crimeline to Criminal Investigations

Deputy Hobbs: the Crimeline is looking to donate \$1,000 for the purchase of controlled drugs in our confidential drug buy program; will help us take a step to build our cases to address the drug problem in our town.

Chairman Griffin: they do seem to do a lot of good; thank you for all you have been doing.

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Selectman Bridle MOTIONED to accept the donation of \$1000 from Hampton Crimeline to Criminal Investigations SECONDED by Selectman Waddell.

VOTE: 5-0-0

VI. Town Manager's Report (42:40)

1. The Energy Committee has indicated that based on actual billings from our third party supplier for electrical energy the Town has saved \$134,748 over previous rates during the past 33 months.
2. Analysis of the approved bids for solid waste disposal indicates that the projected savings over our previous solid waste contract is \$236,681. That calculation does not take into consideration any increase or decrease in tonnage or CPI adjustments that are unknowns.
3. We will be mailing out a letter this week to over 4,000 residents who own property concerning the new Federal Flood Control areas that are put out by FEMA; also will be with that directions that show how to access the Federal Flood Control data bank which will show where you are in the flood district and will assist you in dealing with your insurance.
4. DRED has banned any cleaning of the beach between Haverhill Avenue and the river due to the Piping Plovers.
5. We have started paving process on Belmont Circle, Fairfield Drive and Ruth Lane; once they have completed this the paver will move over to Exeter Road; within a week to 10 days all of the streets will be finished.

Selectman Waddell: July 4th 2 groups put on private fireworks displays and everyone loves them, but we do have an ordinance against this; not against the law for a licensed person to put on a fireworks display; it is a criminal offence if you do not have a license; get a permit from the State, Town and Fire department.

Selectman Bridle: no fireworks allowed under Class A? Town Manager Welch: no fireworks allowed in Town unless they are issued under a permit.

Selectman Bridle: the driveway loop at Tuck Field is part of the paving project. Town Manager Welch: yes, we don't want to do it in the summer as there are lots of kids there.

Selectman Woolsey: the State is supposedly having the seawall jetty rebuilt, has that taken place yet? Town Manager Welch: the information I have is there is no access at all. Selectman Woolsey: so they must not be working on the jetty yet. Town Manager Welch: unless they got permission from Fish and Game. Selectman Woolsey: they said they were going to work from a barge. Town Manager Welch: as long as they are not onshore; my information is there are no vehicles allowed in that entire area.

Selectman Woolsey: well it is the State's problem; do the precinct commissioners know that the flood letters are going out? Town Manager Welch: no, not yet, but they will.

Selectman Woolsey: mail boxes, I think we should place it on a future agenda to discuss what to do when they become damaged due to plowing, anyone have an objection?

Selectman Bridle: I read Public Works solution and think it is reasonable, when people put stuff in the Town's right of way and it is there they have to have some responsibility also.

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Selectman Woolsey: that is why I am wondering if we should be involved in bothering with compensation or anything for mailbox damages; the Federal Government allows the mailboxes put out so that they can drive up, which means you are allowed to put it on the public right of way.

Selectman Bridle: I think what the Public Works has and have done in the past they have set up a fee for a wooden post and a mailbox to replace what is there.

Chairman Griffin: in the 11 years that I have been here we have not had a problem with mail boxes so why have one now.

Selectman Woolsey: well we did have the complaint for an individual.

Chairman Griffin: I think it is a matter that needs to stay at the Public Works.

Selectman Woolsey: I am wondering why we are doing it at all, if they are legitimately plowing the roads, it seems to me we would be better off not doing it at all that it is just one of the casualties; Fred mentioned that there were quite a few claims every year, especially in a year like we just had.

Chairman Griffin: I myself feel that we should just leave it the way it is, it has worked fine for years and I haven't heard any complaints.

Selectman Woolsey: I had a question from a resident on the oversight of the Energy Committee and Fred had mentioned the savings on the energy rates for the last 33 months; still waiting for the outline for Selectmen sponsored committees so we can have them in here; do we have an idea when we might be able to do that? Town Manager Welch: it is on our agenda, but we have been stacked up with so much work we haven't gotten to it.

Selectman Woolsey: I know, but that is something we will address, the year is half over. Town Manager Welch: everybody will be addressed together; we will have a mass meeting.

Selectman Woolsey: is the new Deputy about to be named in Public Works? Town Manager Welch: we are close.

Selectman Woolsey: you said, once we have the new Deputy we can look forward to improved ventilation in the Waste Water Treatment Plant. Town Manager Welch: we are getting there.

Selectman Woolsey: I thank you for the Chief's memo on the Fire Station plaques; are we ready to order? Town Manager Welch: I gave it to you for your advice, we were ordered by this board to prepare it, money was encumbered to put the plaques up; it would normally go on the next agenda.

Selectman Woolsey: do we want to put it on next week's agenda? Town Manager Welch: unless you want to do it this week; that is fine.

Selectman Woolsey: I am prepared to make my recommendation; otherwise we have another 2 weeks.

Selectman Bridle: I am prepared to scrap the plaques and spend the money on something else.

Chairman Griffin: let's talk about it in 2 weeks.

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Selectman Woolsey: Fire inspection fees; Fred, excellent letter to the DOT dated July 7, 2015. Town Manager Welch: DOT hired new district engineer and they scrapped it, no laws governing this; my recommendation to the board is don't volunteer for something you don't want to pay for; I am trying to get the process redone so we can move forward.

Chairman Griffin: there is a lot to think about here; many problems; the Ashworth is not happy about damage to their sidewalk; what about Mrs. Mitchell's? Town Manager Welch: the State agreed with developer to allow them to fix that sidewalk because the State would not.

Chairman Griffin: the State left it in an unsettled position with the planning board. Town Manager Welch: the State wanted the Town to tear all the sidewalks and redo in concrete and maintain them in perpetuity at the Town's expense; just like they told us every crosswalk on Route 1A would receive a set of traffic control lights for pedestrian crossing which the Town would purchase, install and maintain in perpetuity; there is a State law that says they can't do any of that and the State is ignoring their own law; the State purchased, built and has maintained the beach and now are trying to shift the costs to the Town of Hampton.

Chairman Griffin: they are trying to do what they have done with the rest of the State; something has to be done with the road, the drainage system and everything else. Town Manager Welch: the State has neglected all of that, I agree.

Selectman Bridle: the problem is it is a State road until the State takes the time to fix and repair that; there is not much we can do on the State road. Town Manager Welch: we have actually offered to work with them and were told no it is your responsibility to do everything.

Selectman Bridle: I saw your letter; they have a new person in that office now and might not have known what the previous arrangement was and you spelled it out very clearly for him, we need to wait until we hear back from him. Town Manager Welch: it has to run down the chain of command and when it all washes out the State won't have any expense and the Town won't have any expense and we will get things moving again and eventually get the sidewalk replaced.

Chairman Griffin: such a mish mash, the new condos sidewalks will be looking good and the rest horrible.

Selectman Waddell: I agree with Rick and Rusty and it is a situation that needs to be resolved; we need to keep on top of this and hopefully resolve with the State and the developers.

VII. Old Business (1:08:44)

1. Revenue Sharing

Selectman Bean: I asked for this to be put on and the whole board spoke about the lack of cooperation with the State of NH; 7 figures a year that is required for our operational cost; the taxes from the State has taken between \$150,000,000-\$200,000,000 from this Town; this money could go a long way for the Town; no help from the commissioner when we have issues; would like to have the legislative delegation back.

Chairman Griffin: I agree, when can that happen Mr. Welch? Town Manager Welch: when would you like that to happen? Chairman Griffin: as soon as possible. Town Manager Welch: yes.

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Chairman Griffin: a gentleman came in about the fence next to the Fire station; nothing has happened there and it is disturbing his clients. Town Manager Welch: yes I am waiting for Counsel to return because you indicated you wanted an agreement signed; he just returned from vacation so can have it done tomorrow.

VIII. New Business (1:12:16)

1. Bid Waiver Purchasing Policy 718-4.B.2 - 14 Passenger Bus

Town Manager Welch: we bid out the bus; had 3 bidders and the low bidder was \$51,996; next \$52,900; next \$57,499; all under the \$60,000 budget; the parks and recreation department has examined all of the bids and the one that comes closest to our needs is the high bidder \$57,499; they would like to ask for a bid waiver to purchase this bus.

Selectman Waddell: are you sure we can do this. Town Manager Welch: yes, because it is the one that best suits our needs.

Selectman Woolsey MOTIONED to approve the Bid Waiver Purchasing Policy 718-4.B.2 - 14 Passenger Bus for \$57,499 SECONDED by Selectman Waddell.

VOTE: 5-0-0

2. Release of Welfare Lien
a. Map 290, Lot 008-004

Town Manager Welch: this is standard we have a welfare lien that has been paid.

Selectman Woolsey MOTIONED to approve the Release of Welfare Lien Map 290, Lot 008-004 SECONDED by Selectman Bridle.

VOTE: 5-0-0

3. Section 805-45.B Speed Limits Established Vehicles and Traffic Article VII Speed Limits
a. Winnacunnet Road – 25 MPH Easterly from Jeffery Drive to Locke Road
b. Winnacunnet Road – 25 MPH Westerly from Locke Road to Jeffery Drive

Town Manager Welch: this involves the intersection of Landing Road and Winnacunnet Road; we are having more complaints about people driving too fast; we can put signs up intersection 25 MPH.

Selectman Woolsey MOTIONED to approve Section 805-45.B Speed Limits Established Vehicles and Traffic Article VII Speed Limits: Winnacunnet Road – 25 MPH Easterly from Jeffery Drive to Locke Road and Winnacunnet Road – 25 MPH Westerly from Locke Road to Jeffery Drive SECONDED by Selectman Bridle.

VOTE: 5-0-0

4. Section 805-32 Stop Intersections Vehicles and Traffic Article IV Stop and Yield Intersections; Turns
a. West on Esker at Laurence Court

Town Manager Welch: it is a request from the residents; 3-way T intersection; the request is we make every street a stop intersection but doesn't make sense; we would suggest that a stop be west on Esker at Laurence Court.

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Selectman Woolsey MOTIONED to approve Section 805-32 Stop Intersections Vehicles and Traffic Article IV Stop and Yield Intersections; Turns West on Esker at Laurence Court SECONDED by Selectman Bridle.

VOTE: 5-0-0

5. Request for 3-Way Stop Signs

a. Intersection of Laurence Court, Esker Road and Presidential Road

Town Manager Welch: the recommendation is not to do #5.

Selectmen denied the request for 3-Way Stop Signs Intersection of Laurence Court, Esker Road and Presidential Road.

Selectman Bean: last week the stock market shut down; China in 30 days lost equivalent of 3 trillion dollars; Greece is bankrupt; Puerto Rico is \$70 billion in debt; in 2008 the Town's trust fund lost millions and we have recaptured that; we lost \$2,000,000 and are up \$3,000,000; State of NH RSA Chapter 31, section 31:33; Town has \$19,000,000; section 31:34; portfolio comparative performance review; a position performance study; MS9; fund snapshot; would like to make a motion that the reports be emailed monthly.

Selectman Bridle: the people of this Town have a right to know and we have a right to demand that they give us that information.

Selectman Woolsey: they are required by the State to file the MS9 annually. Town Manager Welch: that doesn't contain the information we are talking about, so to speak.

Selectman Bean: it is a simple request. Town Manager Welch: I will invite Mr. Silberdick to come on the 27th.

Selectman Bean MOTIONED that the reports be uploaded to the Town website and be available to residents SECONDED by Selectman Bridle.

VOTE: 5-0-0

IX. Closing Comments (1:25:01)

Selectman Bridle: we have a firefighter undergoing cancer treatment, and on Monday, July 20, 2015 at 10:00am they will have barbers coming over to the Fire station, to show support, there will be firefighters and other people shaving their heads; fundraising going on at the same time.

X. Adjournment

At approximately 8:21PM, Selectman Waddell MOTIONED to adjourn the meeting SECONDED by Selectman Bridle.

Chairman