

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

August 31, 2015

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

SALUTE TO THE FLAG

I. Oath of Office (6:30)

1. Captain Michael McMahon

Fire Chief Ayotte introduced Captain Michael McMahon to the audience and gave a brief outline of his resume.

Town Clerk Jane Cypher Administered the Oath of Office to Captain Michael McMahon.

2. Lieutenant Sean Murray

Fire Chief Ayotte introduced Lieutenant Sean Murray to the audience and gave a brief outline of his resume.

Town Clerk Jane Cypher Administered the Oath of Office to Lieutenant Sean Murray.

II. RSA 41:14-a Public Hearing for acquisition of Land at Harris Avenue and Fellows Avenue (17:42)

Town Manager Welch: RSA 41:14-a is to accept a piece of land that was a requirement for the subdivision of the marina; the land is less than an acre; it completes the portion of Harris Avenue to connect directly to Fellows Avenue.

Selectman Woolsey: who owns the land now?

Town Manager Welch: the marina, requirement of their subdivision to deed this property to the town; deed was in planning office.

Selectman Woolsey: this would facilitate the requirements for building the condominium complex; has public works or fire addressed the width of the road?

Town Manager Welch: it will actually be the widest road at the beach for a side street; no inadequacy in the layout of the road, there has to be a drawn plan.

III. Public Comment Period (23:02) – No comments.

IV. Announcements and Community Calendar (23:07)

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Selectman Waddell: impressive having the swearing in of the 2 new officers; congratulate police and fire department for doing an excellent job; Dyana Martin last week completed Director's School.

Selectman Bridle: congratulations to Dyana; also, congratulations to the two men for their promotions within the fire department I am very proud of both of them.

Selectman Woolsey: calls from Plaice Cove about dead seal, Seacoast Wildlife 997-9448 will take care of dead seals.

Chairman Griffin: the Historical Society is having a pig roast this Saturday 12-2:30.

Consent Agenda (27:15)

1. Letter of Credit for 44 & 50 Timber Swamp Road Subdivision "Swett Drive"
2. Permit to Use Town Property "Static Display" Academy Ave Parking Lot 09/17/15
3. One Day Entertainment License
 - a. The James House Association
4. Seafood Festival Sidewalk Vendor Licenses
 - a. Beach Basics 121 Ocean Blvd
 - b. La Sbiaggia Pizza 215 A& B Ocean Blvd
 - c. The Surf Shop 275 Ocean Blvd Unit 102
 - d. Nam's Gift Shop 275 Ocean Blvd Unit 103
5. Parade and Public Gathering Permit Colonial Circle 9/20/15 (added to Consent Agenda)

Selectman Woolsey: did we approve the Colonial Circle public block party? Town Manager Welch: no, I was going to bring it in under the Town Manager's report.

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

VOTE: 5-0-0

V. Appointments (28:55)

1. Kristi Pulliam, Finance Director
 - a. Monthly Update

Ms. Pulliam: month ending July 31, 2015; expenditure target 58.33%; total income \$675.6k; motor vehicles \$254.2k, which is over the month's target by \$24.5k; interest on taxes \$20.4k; building permits \$34,000; departmental income \$72.8k; Rye Sewer agreement \$22,000; parking lots \$181,000; real estate trust \$73.5k; expense summary with open POs were 58.28% of budget which is under the month's target by \$12.4k; overall departments running under the target of 58.33%; Board of Selectmen and Town Manager Supplies and Expense lines running over target; Trustees of Trust Funds over target; Election Administration under; Finance Supplies & Expenses over target; Assessing over budget by \$39,000; Tax Collection over target; MIS under budget; Planning Board over target; General Government Buildings Heating Fuel is 75% spent; Cemeteries and Electric over target; Police Department is at 54.5%; Fire Department is at 55.9%; Other Safety Services Hydrants is at 96.68%; Highways and Street is over target at 76.3%; Municipal Sanitation is running below target at 54.9%; Animal Control is running below target, but OT wages at 101.48%; 2014 Encumbrances at 59%; Recreation Beach Sticker \$11,599 with \$21,477 being awarded as scholarships; Cable Committee slightly

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above; \$155,967 is my predicated year end savings at this point which is only 0.67% of the \$26,507,096 budget.

Selectman Bridle: for the public could you equate that \$155,967, some people may think that is a lot of money, but if it was their household budget? Ms. Pulliam: that would be like having a savings of only \$670.00 with a household budget of \$100,000; it is a very small amount. Selectman Bridle: so with your savings of \$670, what if your water heater goes and/or your insurance raises its rates; \$155,000 is not small change on a small scale, but on a large scale, it is very tight. Ms. Pulliam: last year it was down to \$300,000 and we were sweating that.

Chairman Griffin: Rusty if your household budget is \$100,000, you are living large. Selectman Bridle: absolutely, so \$50,000 the savings is only \$300.00.

Selectman Woolsey: the POs is that all debt service? Ms. Pulliam: I copied it over from what Mike was doing; there is nothing open now for anything beyond 2014; might be some warrant articles. Selectman Woolsey: the health insurance does that line account for the savings, or are there still bills coming in from that section; do we still owe or is that \$1,200 going to be eaten up? Ms. Pulliam: we are billed monthly. Selectman Woolsey: we will see that drawn down, so it is 53.85% expended. Ms. Pulliam: just over \$100,000 of what was budgeted.

Selectman Bean: switching gears a bit we had talked with the trust fund folks; there is a request for information from the trust fund folks. Ms. Pulliam: that went out Friday afternoon. Selectman Bean: have we heard from them yet? Ms. Pulliam: no. Selectman Bean: I would like to stay on that, and the sooner you can get that information as of the last day in August. Ms. Pulliam: yes, that was added into the request.

Selectman Waddell: nice report; on the revenue side do you feel comfortable with how everything was coming in. Ms. Pulliam: yes, it is over what we predicated. Selectman Waddell: the State not having passed a budget, I heard it could affect the tax rate and the revenue the Town was going to get back and then someone else said it wasn't going to affect it, have you had correspondence with the State? Ms. Pulliam: the judge's ruling is not out on that yet, they only had a 6-month budget right now; but have not heard any ruling on that recently.

Selectman Waddell: the heating section is over budget in many of the departments; we still have to come into the cold months to finish the year; how are we feeling about that? Ms. Pulliam: I need to complete that analysis, and when finished I will share with you. Selectman Waddell: this is something we need to be aware of, and we could have more snow before the end of the year; if one part is over, we need to take from another, because things have to balance out at the end.

Chairman Griffin: we hope there will not be any bad weather. Ms. Pulliam: not until after January 1.

VI. Town Manager's Report (45:10)

1. The State Department of Environmental Services has re-issued our Groundwater Monitoring Permit for the Landfill with additional conditions, one of which is to forward notices to certain properties within the Town. A part of the requirements on expanding the monitoring zone will be the recording of required information against abutting property owner's deeds; this involves only new properties added to the Zone.

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2. It appears that the Port Authority has finally been able to reach agreement to remove the boat known as the Guest List from the marsh at the end of Tuttle Avenue.
3. Received communications from Hampton Falls, senator and DOT; request for a turnaround and realize it will not happen for a couple of years; DOT has promised to put in the turnaround.
4. Received a request from CASA for children requesting that we appropriate \$500 to them, they are not on their list; in the past the board's position has been that if we get one that is not currently on the list that they have to petition to get on the list; just want to make sure that is a fact.
5. Received a letter from Preston Real Estate, wanting Selectmen to sponsor an article to prohibit certain activities; the law says we can only do what the state allows us to do; the state says what happened was completely legal.

Selectman Bridle: I would say yes about the CASA request they do great work for children in the court system. Town Manager Welch: in Rockingham County alone, they served 159 children; I will make sure to send them the information.

Selectman Bridle: we should send a letter to our Senator and our State Representatives about the topless issue.

Town Manager Welch: It is not a violation state law and the State Parks cannot pass a regulation against it either, but I would be happy to send out if the Board requests it.

Selectman Bridle: how long does the utility company have to remove a pole once they have replaced them? Town Manager Welch: it has been a taxing issue for 30 years or so. Selectman Bridle: can we tax them for having double poles? Town Manager Welch: no, they are not being used for carrying the lines but we can request that they remove them.

Selectman Woolsey: do you think 50 years from now the legislature might tackle that proposal? Chairman Griffin: did you want him to send a letter? Selectman Woolsey: I just said I have no problem with sending a letter. Chairman Griffin: which letter, there are two? Selectman Woolsey: I am fine with sending out both letters.

Selectman Bean: I think if you criminalize the topless issue it becomes a problem, if you ignore them they go away; I think our legislators have issues that are more pressing then to lower the bar to those knuckleheads at the beach.

Selectman Waddell: I agree with both sides of the argument; ignoring them and they will go away; but having prominent business people down at the beach requesting our assistance then I go along with sending a letter.

Town Manager Welch: I agree with Mr. Bean the more attention you pay to it the worse it gets.

VII. Old Business (54:55)

1. Hampton Falls Fire Dispatch Agreement Renewal

The Selectmen agreed on the renewal and the Chairman will sign the letter.

Selectman Woolsey: Could not get permits from the DES for the ramp; Senator Stiles is going to go on our behalf.

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Town Manager Welch: we asked if we could renew it but did not file and the answer was no; we need to spend money on engineering, we need to go to DES, the Army Corp. of Engineers; we need to apply for all kinds of federal and state permits.

Selectman Bean: there were benches vandalized on the boardwalk; there are 2-3, seems they were misplaced or thrown over the wall, if we could make the appropriate request to the State.

Selectman Waddell: I went to Plaice Cove after our meeting last week and it is ridiculous that there is not a ramp there, spoke with Senator Stiles and she is going to speak with DES. Attended a meeting of the rooms and meals tax, it is pitting Towns against Towns, as the smaller towns would not get as much; the formula needs to be rewritten so that we do not that.

VIII. New Business (1:01:00)

1. Acceptance of the Environmental Champion award for the WWTP for \$1,000.00

Town Manager Welch: this is an award given by Aquarion to the DPW for the wastewater area; the award will go towards the general fund.

Selectman Woolsey MOTIONED to approve the acceptance of the Environmental Champion award for the WWTP for \$1,000.00 SECONDED by Selectman Bridle.

VOTE: 5-0-0

2. Approval of recommendations for the Budget Committee's Sub-committee's protocol

Selectman Woolsey: I would like to listen to the opinions of the rest of the board.

Selectman Bean: this is an established communication issue; it is about professional lines of communication; to do it any other way is inefficient and I do not think it serves the public.

Selectman Waddell: I would love to see the relationship between the Budget Committee and the Board of Selectmen a little more agreeable; the outline presented is a good outline; it is good to go through a chain of command, speak with department heads not employees, should not to go into minutia.

Selectman Bridle: I have no problem with this as presented; we have good department heads and they should be allowed to run their departments and if the budget committee has any questions, it should be run through the department heads not go through the entire department.

Selectman Woolsey: a conciliatory approach working with the Budget Committee does not appear to be in the cards having read this; I think the context of the remarks in the memo are arrogant and illegal; under 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". They are subject and bound to RSA 91-A; I think this is extremely offensive and we have no right to interfere with the Budget Committee; I think it is up to us to keep our nose out of the business of the Municipal Budget Committee; I strongly advise this Board to keep our fingers out of the Budget committee.

Town Manager Welch: the Municipal Budget Committee has the right to appoint sub-committees; however, they do not have the power to bring in employees and question them; this is not Hoover Commission, not McCarthy Hearings, and is specificity excludes employees, they do not have the right to bring in employees, I don't care if there is a sub-committee, they

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need to follow the rules; if they don't post a notice the employees will not show up, department heads or otherwise because it is not a lawful meeting and I won't hesitate to go to the County Attorney; this needs to be done properly and so far it hasn't been done properly; we have had nothing but demands; the meeting has to be noted and posted. There is nothing here violates the statute; the Budget Committee do not have unlimited and unfretted power to do anything they want; they have a right to look at the expenditures of the Town which we are anxious to give them in a setting that is neutral to them and neutral to us; this protocol complies with the statute. To give proper answers, time is required to prepare the answers correctly.

Selectman Waddell: RSA's are interpreted many different ways; I do not find this offensive; the recommendations will make a more orderly process.

Selectman Bridle: I am fine with it; it should be up to the department heads to bring in whoever they want to answer their questions, not the Committee.

Chairman Griffin: I am going to follow Mr. Welch's advice.

Selectman Woolsey: may I have the statutory reference regarding employees. Town Manager Welch: you just read it; there was not a word in there about employees. Selectman Woolsey: and other officials. Town Manager Welch: an employee is not an official; they have no authority whatsoever except to perform the job they are assigned to perform. Selectman Woolsey: it shall be the duty of all such officers and persons. Town Manager Welch: I suppose we should subpoena people off the street to find out what their position is; it is specific; it is department heads and people in charge that have authority to make decisions and that is really what the Budget Committee is after, employees do not have the knowledge.

Selectman Woolsey: I am just puzzled; and I have never seen a problem like this before; there has never been this level of structuring.

Selectman Bean: I am the person that accepted the responsibility being the liaison to the committee when Selectman Woolsey quit; this information is to make more transparent, and make more readily available the quality of information, the preparedness of our department heads and the preparation and information that is granted to the Budget Committee; we are running a very important corporation; if we all assert our rights when we want, then pandemonium breaks out and we become very ineffective; the lines of communication we have established are standard operation procedures; the information is free flowing; there is no problem, strictly professional grade staff communication.

Selectman Bean MOTIONED to approve the recommendations for the Budget Committee's Sub-Committee's protocol SECONDED by Selectman Waddell.

VOTE: 4-1(Woolsey)-0

Selectman Woolsey: the State apparently picks up the waste from other State parks, but not for Hampton; there is a Manager's site you have the ability to go on to determine where the State is disposing the waste of their Parks; or is the State expecting the Town to assist them in disposing the waste; when we get to budget discussions I am going to seriously ask if we can consider asking the State to no longer deposit their waste in the Town of Hampton. Town Manager Welch: we can certainly ask.

Selectman Woolsey: can we have an updated phone and employee list. Town Manager Welch: I will ask the departments for a new list.

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Selectman Woolsey: I had a complaint on Boston Avenue about construction noise. Town Manager Welch: if people have a complaint in regards to noise and the noise occurs other than during the permitted hours they should call the police department immediately, because they will go and shut it down.

Selectman Woolsey: trying to read the cable contract; I called Senator Stiles after reading Seacoast paper about officers in dire need of help for the Corrections Department and asked her where the money is going.

Town Manager Welch: I suggested that the DOT give us Route 1A as a compact road. Selectman Woolsey: not until after they have done their drainage. Town Manager Welch: the reason why I said that is state law says if they give the road to the town; they have to completely rebuild; at their expense and we do not have to accept if they do not do it.

Selectman Bridle: about the letter from Mr. Davis concerning the dead end signs. Town Manager Welch: I have inquired to Public Works and my suggestion is instead of putting two dead end signs, put a no turn around sign.

Selectman Woolsey: nice job on Exeter Road showing where the centerline would be and placing the cones on the side.

IX. Closing Comments (1:30:20)

Chairman Griffin: I would like to poll the board since it has been 2 years since we have had the same members on this board; Mr. Waddell are you comfortable with what is happening here with the board of selectman? Selectman Waddell: yes

Selectman Bridle: absolutely

Selectman Woolsey: I would like to see better communication; I understand 91-A but I think even if I got a message or Kristina called and said the Fire Dept. is promoting so and so; or send an email saying do not respond we are doing this.

Chairman Griffin: are you happy with the direction of the board? Selectman Woolsey: I would be happier if I felt better informed.

Selectman Bean: I have served on what is now your board, this is my 4th year; and during my tenure, however, brief it is, it has never run better; thank you for your legion.

Chairman Griffin: I only questioned because I have seen a lot of cooperation and there are times when it seems to be there is not as much cooperation, particularly at the budget committee, but to be truthful, I don't really see anything new with what is happening at the budget committee; these problems seem to be insurmountable; I have been here for 12 years and I am very comfortable with the way the direction of the board is going, thank you.

X. Adjournment

Selectman Bridle MOTIONED to adjourn the meeting at 8:30PM SECONDED by Selectman Waddell.

VOTE: 5-0-0

Chairman