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May 23, 2016

PRESENT: Rusty Bridle, Chairman  
Jim Waddell, Vice-Chairman  
Rick Griffin, Selectman  
Phil Bean, Selectman  
Regina Barnes, Selectman  
Frederick Welch, Town Manager

### SALUTE TO THE FLAG

Fire Chief Ayotte said it has been an extremely difficult week for the Hampton Fire family, as we had the loss of a member Kyle Jameson, but wanted to thank everyone involved for their outpouring of support from the community.

#### I. Public Comment Period (5:57)

Matt Newton, President of Professional Firefighters of Hampton, Local 2664: On May 15, 2016, we lost Kyle Jameson to Occupational Cancer; the support from the Town, Fire Department and Business Community was overwhelming. I would like to thank the Town Manager, Selectmen, Desi from the 401, and Fred Sharkey from the Casino. Thank you to the community.

Bob Ladd: wants to thank you for the support of the sand castle event that we sponsor every summer and due to the success have added another day of events on July 6, 2016 targeted for 8-14 year olds; doing in cooperation with the recreation department and State.

Senator Nancy Stiles: the engineering for Route 1A has been moved up in the 10-year plan to 2019-2020; spoke with Commissioner and shared some of your concerns, the plowing of the sidewalks. She told me she would be very glad to enter into an agreement with you to do whatever they could to help and wants to support the effort of you taking on the sidewalks. I asked her how many miles of roads they had to plow, which is 8,988 lane miles, so they are busy plowing the roads, but would work out a schedule with you and pick up the snow from plowing the sidewalks and take it out. Someone also asked about the painting of the sidewalks on Route 1A and the State does that.

Fred Rice: worked with Senator Stiles on the 10-year plan; slopes sidewalks; would gain a tremendous interest; increase in commerce; the agreement was in 1933 and would be in the best interest of the people who visit and the businesses to think about renegotiating this contract in a positive way, so both parties come out equally happy.

Charles Locke: speaking for people who live on Winnacunnet and the side streets; we have a situation with a registered boat on a trailer and a large camper; the camper is blocking where

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the pump house is making it hazardous to workers. Would like Town to ask them to park in the Town parking lot; would also request that the big yellow building give up six parking spots.

Chairman Bridle: you are talking about the pump house at the end of Winnacunnet Road. Mr. Locke: yes and I have called the police.

Selectman Griffin: I also approached by another woman and told her to put it in writing, and send a letter to Town Manager Welch

Chairman Bridle: the Town Manager is writing this down.

Town Manager Welch: will take a peek in the morning.

Selectman Griffin: there have been complaints made before and told them to document at the Police Department.

Mr. Locke: there is no guest parking at the condominiums, but they are taking up six spaces; I would like to suggest the State turn over six spots.

Selectman Griffin: call the State, that has nothing to do with this Board.

Selectman Barnes: I also have had inquiries concerning these vehicles and spoke with the gentleman twice and he said he was going to move them; the trailer is gone as of this morning, but there are still three vehicles there and I let him know there were complaints by neighbors on Viking and Winnacunnet; it is an ongoing issue.

Norman Silberdick: here on behalf of Rational Taxpayers of Hampton, wants to speak on the comments made by Attorney Gearreald last week. Sections 718-3a and 718-3c were quoted; Town Attorney said last week I believe it was implicit in vote taken on 12/21/15 policy was waived. Only reference to purchasing policy was Town Manager commenting signing POs by 12/31/15; only policy waiver was for scarifier under Section 718-4b. Town Attorney also stated no State law that requires competitive bidding; only arises if Board or Town charter authorizes it; we agree no explicit language in statute, but there is case law that addresses subject. On January 25, 2016 meeting the Police Chief Stated had not looked into the cameras; no signature on purchase order. Believes Town Attorney may receive direction from the Board of Selectmen we believe his clients are ultimately the citizens of the Town of Hampton. Our opinion that the Town Attorney's presentation last week was designed to put the Town officials in a positive light to mislead the public; an objective legal opinion looking out for the interest of the citizens of Hampton would have been more appropriate. Thinks Hampton needs to conduct an investigation analysis to get to the bottom of why Hampton is having so much trouble getting three qualified bidders on projects exceeding \$15,000. Every time I come here and make a presentation Phil Bean gets up and walks out of the room, I think it is classless and absolutely rude; I would show him the respect to engage in any business that he was conducting and I think it is no way to treat a citizen, it is just appalling to me. If we go to the Superior Court of DRA, we believe we would prevail, but would be a hollow victory, because all it would create would be a reversal of these transactions. It is not the specific items we are concerned about it is the process and the system of the purchasing policy.

John Welch: he is owner of camper and trailer; moved trailer today and will move camper tomorrow.

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Fred Rice: on behalf of American Legion Post 35 would like to invite the selectmen, Town staff, and all elected officials to participate in Memorial Day Parade on Monday, at 11:30; will meet behind the Fire Station.

## II. Announcements and Community Calendar (30:53)

Selectman Bean: Sorry, that Mr. Silberdick will not be coming to anymore of these meetings and I wish him the best wherever he is going. I went to a Conservation Commission plant/bake sale and it was magnificent; they do a fantastic job; great community with great people.

Selectman Griffin: I go every year to the Memorial Day Parade and really enjoy it; it helps me remember my parents that were in the military.

Chairman Bridle: June 5, 2016 is Firemen's Memorial Sunday, meeting at 9am at the uptown Fire Station; it is a small ceremony, we march up to ceremony, and then go back to Fire Station for coffee and conversation. This Town suffered a great loss, we are very proud of our citizens in this Town and how they acted over the past week.

## III. Consent Agenda (33:48)

1. HBVD request for the Town's assistance for the 16<sup>th</sup> Annual Hampton Beach Master Sand Sculpting Competition
2. Parade and Public Gathering License: Save One Animal Rescue Adoption Day 06/04/16
3. Hampton Cemetery Deeds: Michael P. & Deborah A. Elia; Barba A. Hopkins; David B. & Catherine W. S. Meinen; John F. & Evelyn J. Sullivan
4. Request of No Objection for Service of Alcohol for Pachanga LLC dba Pachanga Mexican Grill 275 Ocean Blvd
5. Hawker and Peddlers License: David Perdomo

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

VOTE: 5-0-0

## IV. Approval of Minutes (34:30)

1. May 09, 2016 Public Minutes

Selectman Waddell MOTIONED to APPROVE the Minutes of May 09, 2016 Public Minutes SECONDED by Selectman Griffin.

VOTE: 5-0-0

2. May 16, 2016

Selectman Barnes MOTIONED to APPROVE the Minutes of May 16, 2016 SECONDED by Selectman Griffin.

VOTE: 5-0-0

## V. Appointments (35:00)

1. Ellen Lavin, Treasurer
  - a. 2016 TAN

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Ms. Lavin: I come before you to ask permission to borrow for a TAN; \$4,000,000 non-revolving municipal line of credit; borrow, as needed then working with finance to pay back; maximum I can borrow is \$4,000,000 with an interest rate of 2.5%. What happens from time to time, if Hampton does construction between when the warrant goes out for tax collection, we may run short of cash so we may have to borrow; last year did not have to borrow. TAN stands for Tax Anticipation Note; where we anticipate taxes to come in July 1 and there may be a shortfall for 2-3 weeks.

Selectman Griffin MOTIONED to APPROVE the Treasurer to borrow up to \$4,000,000 for 2016 TAN SECONDED by Selectman Waddell.

VOTE: 5-0-0

2. Kathleen Murphy, Superintendent SAU 90 and Keith Lessard (39:35)
  - b. Selectmen's Representative School Facilities Committee

Ms. Murphy: we have a request for you to appoint representation to our Hampton Academy Advisory Committee; we meet once a month, the fourth Wednesday and meet at Hampton Academy in the Library at 6:30.

Selectman Waddell volunteered.

Selectman Bean MOTIONED to APPROVE Selectman Waddell as the Selectmen's Representative School Facilities Committee SECONDED by Selectman Barnes.

VOTE: 5-0-0

- c. Safe Routes to School Proposal for Centre School

Ms. Murphy: safe routes to school project; bike rodeos; assemblies; we received a second grant allowing us to identify areas throughout the Town which could be problematic to students coming to school safely. A planning group helped identify areas around our schools and they put together a report that had approximately 30 sites in and around the schools that we should look at. These 30 sites were narrowed down to five that were brought to the school Board and they have been reviewing this on an ongoing basis, and have identified their first project.

Mr. Lessard: the project improvement is at Centre School at the crosswalk; we met with DPW and went over the proposal. We are going to construct a concrete island, which is divided through the middle with a crosswalk, there is an area of refuge for pedestrians should they be stuck in the middle of the road; granite curbing; appropriate signage; solar powered light with a push button. The plan tries to funnel the traffic; and will have a crossing guard there in the morning and afternoon. It is a fully funded project from the Hampton School District; will work very closely with Public Works and Town Manager; working with engineers that designed the project; waiting for approval from Selectmen to go the next step for the engineers; do bidding in June; plan to do project this summer, so when school starts it will be complete.

Selectman Waddell: thinks it is a great idea, Hampton un-pedestrian friendly; anything that makes it safer going to school is great.

Mr. Lessard: probably High Street at Marston Way will be the next project.

Selectman Griffin: I appreciate the way you go and get grants, that is key.

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Selectman Bean MOTIONED to APPROVE to do the off-site improvement on Winnacunnet Road SECONDED by Selectman Barnes.

VOTE: 5-0-0

3. Chris Jacobs, DPW Director and Jen Hale, DPW Deputy Director (56:05)
  - a. Professional Engineering Services for the Church Street Force Main Relocation

Director Jacobs: contract with Wright-Pierce Engineering for \$219,100; broke out into three proportioned items; engineering will take around 6 months. How I would pay for that is I still have \$39,852 in the engineering line; Sewer Access fee account stands about \$93,364; \$10,000 in the Waste Water Treatment Engineering line; also \$90,000 for facility study. Expecting another \$31,000 in the sewer access account through the summer, would like to use next year's engineer line, which gives me a total funding line of \$224,316. In summary, all the little accounts will allow us to move forward with this project, addressing the State's needs that we are moving forward on this.

Selectman Barnes: we are going against the purchasing policy and need to make sure we are documenting why? Director Jacobs: Wright-Pierce was selected under an RFQ policy two years ago. We went out for professional services for various firms; they were selected, interviewed, picked up the project and they had done the preliminary design three years earlier than that; they were the ones that were able to bring the anticipated \$4.5 million dollar project in for \$2.3 million dollars. To me you should not jump ship middle of the stream because these two force mains are going to be tied literally to the pumps that they specified; they have all the pump design data, the flow data; it would be a smooth transition. They were already pre-vetted for a portion of this project.

Selectman Barnes: why are we doing this now? Director Jacobs: there is a risk on just waiting for the next shoe to drop; the reality is we need to move forward; the State wants to know we are moving forward towards a solution; they want us to take reasonable steps forward in a time manner that we can handle to resolve a potential issue.

Ms. Hale: this will also provide documents that will be ready if the Town votes to approve the project; we will be ready to go; the design will be done.

Selectman Griffin: I like the fact that you are taking your time and doing it correctly so that you do not have to rush into it and get the best deal for the taxpayers of Hampton.

Selectman Bean: the Public Works Director through the Town Manager and to the Board of Selectmen has disclosed the bid described in awarding the contract does not comply with the purchasing contract.

Selectman Bean MOTIONED to APPROVE the Professional Engineering Services of Wright-Pierce Engineering for \$219,100 for the Church Street Force Main Relocation SECONDED by Selectman Waddell.

VOTE: 5-0-0

- b. Vote to expend \$4,013 for the Sewer Lateral Video Camera Upgrade from the Wastewater System Development Account

Director Jacobs: this is a specialized piece of equipment; presently we do not have the ability to check the lateral views.

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Chairman Bridle: would you explain why we only have two bids? Director Jacobs: it is a specialized piece of equipment; in New England, there are two suppliers, if we got a third it would be from Kentucky or Mississippi and we would pay more shipping; there are two vendors in New England and that is who we got quotes from.

Chairman Bridle: we have to buy it because it is specific to the camera we already own.

Director Jacobs: yes, you want the left to match the right to have some connect ability

Selectman Waddell motioned to accept and that it does not need the purchasing policy.

Selectman Waddell MOTIONED to APPROVE the expenditure of \$4,013 for the Sewer Lateral Video Camera Upgrade from the Wastewater System Development Account SECONDED by Selectman Bean.

VOTE: 5-0-0

Selectman Griffin: In Mr. Jacob's report, Option 1 suggests we have \$500,000 in this account to fund annually at 100%, is that for all removal on the sidewalks in Town. Director Jacobs: it could be if that is the way, you would designate the fund to be used.

Selectman Griffin: I agree with doing it that way and want to be able to support your thinking.

Director Jacobs: that was discussed last year about setting up a Capital Reserve Fund for emergencies

Selectman Griffin: your approach would be Town wide? Director Jacobs: yes.

4. Hampton Beach Area Commissioners & Hampton Beach Village District (1:09:45)

a. Hampton Beach Area Commission Annual Update

Hampton Beach Area Commission members present: Fran McMahon, Chuck Rage, Dean Merrill, Bill Watson, John Nyhan, Bob Preston, Bob Ladd and Selectman Griffin

Mr. Nyhan: volunteer organization; clarify the agenda to change it from ownership to maintenance of sidewalks. Annual report - RSA 216-J:3,VIII obliged to bring report to the Board of Selectman once a year to give them our annual report, which has been submitted in writing. There are eight major points of activities. Snow removal in 2015; we have supported the completion of the seawall at North Beach, after many years it came to completion. Improve the south entranceway into Hampton, coming over bridge, great effort to get discussion started. During early summer HBAC went to public hearing and advocated for additional money in the transportation ten-year plan, approximately \$8,000,000 has been put into the master plan for Ocean Boulevard reconstruction. Continued to talk about economic development and will continue into this year; collaborated with building inspector concerning design; work continued with transportation grant. We raise private funds to pay for secretarial services.

Selectman Griffin: I have been on the Board for five years and we have worked very hard getting the new buildings, and working as liaison between Town and State; what is important here is working together.

Selectman Bean: thank you for your attendance tonight; thank you for your annual report. On the website, the last minutes posted are from two years ago, they need to be updated. I would like to see Mr. Rose and Mr. Brice here on behalf of the Town of Hampton and your Commission. We are now into Phase 3 of HBAC, which calls for: to acquire permitting needed for public projects; ensure Beach is clean; close off portions of Ocean Boulevard;

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reconstruct Ashworth Avenue, support parking needs and extend events and attractions; maintain 6' depth, install electric services along main Beach entrances, ensure gas capacity needs are met. I think it needs work, it is a tired document and I look forward to upgrades as required by law. I think it is time to lease some of the State property. I think revenue from the meters should go to the HBVD for \$200,000; the Town of Hampton should receive \$200,000 a year. There is revenue sharing and we are not getting any. Maintenance should be year round of the State property; plowing to the State parks and parking facilities. We should be able to lease the State Parking Lot, same as Sunapee is leased. There is a lot of room for research and growth.

Mr. Nyhan: I think much of what Selectman Bean has indicated in comparison to Cannon and the State park, not the Beach Commission. A number of years ago when it was decided the Town was going to assist in taking minutes of our meetings, those meetings have been faithfully posted on the Hampton Town website once a month; we post the draft and then the following month when they are approved we post those. Within the first couple of months of Commissioner Rose appointed he came and spent a fair amount of time with us at the Beach Commission so we would be able to share with him what our thoughts, and strategies were in regards to the master plan. Mr. Brice goes well beyond by sending his representative and who is also the supervisor to the seacoast for the State parks, he attends every single meeting; we have a working relationship with Mr. Brice. The new Commissioner with DOT made it a point to come down here and met with us; we are getting the ears of individuals.

Chairman Griffin: who formed the Beach Area Commission? Mr. Nyhan: through the State Legislation.

Selectman Waddell: I think we need to separate what the State and Town and the Commission; the Commission has done an excellent job of promoting and moving the master plan forward. We have issues with the State, but the Commission is helping us deal with the issues. We need to look at the west side of the Beach and look at the \$18,000,000 that were put in. There are issues with rooms and meals taxes, but that is the State and the Town, not the Commission and the Town; they are doing a great job.

Selectman Griffin: I also have met with Mr. Brice and he would meet with you at any time. The policy with the State is they will not come here because they have been attacked repeatedly, and a lot worse than Phil; they will meet with two selectmen, not three. I agree with Phil, these issues need to be dealt with, but they do not need to be dealt with in regards to the sidewalks.

Selectman Bean: I am just talking strictly financial numbers; nobody is attacking anybody; great caliber of people; strictly metrics and data provided by the State.

Mr. Rage: the relationship with the State years ago is different than it is now and I can get in touch with them immediately; we need to work together; Senator Stiles has made it easier for us, and I urge this Board to meet with them and make things happen.

- b. Commission's recommendation regarding the ~~ownership~~ maintenance of the sidewalks along the west side of Ocean Blvd from Ocean Blvd and Ashworth up to Ocean Blvd and Winnacunnet Rd.

Mr. Nyhan: under RSA 216J:3,I,II responsibility of the HBAC to advise and consult on matters that have an impact on the Hampton Beach master plan strategies, we are not decision

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makers; in this particular case you will be the decision makers. When we look at transportation, traffic control, reconstruction of Ocean Boulevard it is very clear that it talks about the means to reconstruct Ocean Boulevard; it is within our responsibilities as a Commission to explore those areas, and try to find remedies and strategies that would improve on those conditions.

Mr. Watson, DOT Representative: my door is always open, Mr. Bean has been to my office; I spoke with Superintendent Murphy and she will call my office tomorrow, so we may look into funding for the safe routes to school program; I love my job. Our stake is the same as yours about sidewalks, our interests are the same; as it relates to the \$300,000 grant the Department offered to step in and help the Beach Commission manage this money because there are so many strings attached to the fund, we do not want anyone getting into trouble. The updates of the master plan and any recommendations are the Beach Commission that is the owner of the master plan update, which is all of us. Two years ago, there was an effort to add \$250,000 to study Ocean Boulevard, which is above the \$300,000; should be money left. We have about \$8,000,000 in the 10-year plan for reconstruction; the study should finish in the next year or so and in 2019 and 2020, we are going to be talking about what the ultimate improvements will look like and have actual design plans created. Ultimately, it will get to the point where we have to have a conversation about sidewalks; the Department is open and ready to have a discussion with the Town and compromise is part of the solution. The Department is supportive of conversation, we do not maintain sidewalks and that is a reality; we are ready to come meet with the Town and work on a solution that is acceptable and workable for all of us.

Mr. Nyhan: to clarify, this is very important, that the willingness from both parties to work together, one has to understand that the acceptance of the maintenance for the sidewalk it is not something that can be put on the table.

Mr. Watson: we do not have the staff or the dollars. Selectman Bean is rightfully frustrated with the lack of revenue the Town gets back from the meters, rooms and meals tax, etc. We do not get any of the dollar either; none of that money comes to the Department to maintain anything at the Beach area; we do not have any additional resources for maintaining sidewalks, gas tax and tolls is barely enough for us to fund our operation to keep the roads open in the winter.

Mr. Rage: the HBVD voted for the Board of Selectman to support the HBAC; I think bringing everyone to the table to come up with a solution doable; we will help anyway we can. Something needs to be done with the conditions of the sidewalks from the bridge to Winnacunnet Road; I have been at the Beach since 1981 and have seen tripping, flooding, people walk in the street.

Mr. Merrill: been on the Commission for three years; the sidewalks need to be repaired and maintained; forward thinking has been done with this group; important issue.

Mr. Nyhan: I was with Mr. Houseman and Mr. Brice last week, and in a conversation with them I could share with the Board of Selectman that they will continue to support the efforts of snow removal on the east side as long as the budget continues on. They are willing to continue being partners with the Town and take their responsibility with regards to the snow removal on the east side of Ocean Boulevard.

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Mr. Preston: it is an uphill battle to bring forth legislation in Concord; looking at efforts of Senator Stiles, she is incredible, great accomplishment to bring that kind of money to Hampton is wonderful. We work with Mr. Watson and Mr. Houseman all year long and I do not think it is appropriate to hear we fight with the State, because there is a lot of cooperation with what we do. Hampton Beach Boardwalk was voted #7 in the country; not fair to say that the State does not do anything for us. Years ago the Town voted to spend a lot of money to the infrastructure, a lot of it went into sidewalks; Ashworth Avenue sidewalks look nice. Many of us in this room said we are going to lobby to get a new seashell, which has become the jewel of the State park system; millions have come in of private money to the Beach with the new condominiums and houses. We want to continue with the transformation of Hampton Beach; the Board has an opportunity to get an additional \$6,000,000, could be \$16,000,000 when we are all done to redo the boulevard. This is great for Hampton, our tax base assessments will go up; things that are happening are phenomenal.

Mr. Ladd: between the State and Town, we have to figure out some way for it to work for both sides; if you do not talk, you cannot solve anything; the State is already offering the olive branch of taking the snow, if you take it from the sidewalk and put it on Ocean Boulevard, they will take it away.

Mr. Nyhan: people have talked about this 1933 agreement, but we need to look forward; most recent discussion. We are proposing that the Town of Hampton take over the responsibility of the maintenance of the sidewalks, when and only if there are new sidewalks constructed and ADA compliant. The Town already takes care of 29 miles of sidewalk and we are suggesting add two more miles. I have looked at both sides of the issue, and can assure you if there was a way to talk the DOT into making an exception, I would have. After careful review and consideration and wanting to continue the transformation of Hampton Beach, the Hampton Beach Area Commission is recommending to the Hampton Board of Selectmen, that once the Ocean Boulevard construction project has been funded without any cash match requirement from the Town, and the work has been completed, which would include a brand new road, all new sidewalks and drainage. Only then would the Town be responsible and take over the responsibilities to take over the maintenance of the sidewalks on the west side of Ocean Boulevard; from the intersection of Ashworth and Ocean Boulevard on the south end up to the intersection of Ocean Boulevard and Winnacunnet Road on the north end.

Selectman Griffin MOTIONED to APPROVE after careful review and consideration and wanting to continue the transformation of Hampton Beach, the Hampton Beach Area Commission is recommending to the Hampton Board of Selectman, that once the Ocean Boulevard re-construction project has been funded without any cash match requirement from the Town, and the work has been completed, new roadway, new sidewalks and drainage that the Town take over the responsibility of maintenance of the sidewalks on the west side of Ocean Boulevard from the intersection of Ashworth/Ocean Boulevard south end up to the corner of Ocean Boulevard north end SECONDED by Selectman Waddell.

VOTE: 3-2 (Barnes, Bridle)-0

Selectman Griffin: I want to make it very clear that nothing is going to be spent for eight years; it could be finished faster, but is highly unlikely. The State has not done anything for the last 40 years on the sidewalks. I also feel that the school has some responsibility. I would like the

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residents of Ocean Boulevard be respected, Ocean Boulevard brings in \$4.5 million in taxes. We will probably have to hire more employees in the future at DPW for a variety of reasons.

Selectman Bean: the struggle with this for me was Article 31 in 2012 and I want to be very careful about what I say, because it was the voters will. I would like to tighten up the motion; when the voters voted it said was to maintain, repair, construct and reconstruct the sidewalks; it was voted against; the Commission is asking to simply maintain. I would like to hear more information about exactly what the sidewalk looks like, and along with the drainage.

Selectman Barnes: my concern was where the snow would go, and that has been answered; get more information from DPW; the work needs to be done; seems like everyone wants to work together; glad you came tonight you answered many questions tonight.

Selectman Waddell: needs to be ADA compliant; State constitution says people cannot take care of their own sidewalk.

Chairman Bridle: heard a lot of information tonight; the roads and sidewalks at the Beach are terrible, we need to do something. We need to have a discussion with DOT and DRED and I hope Senator Stiles can bring us together; I think a vote today is premature; I would be willing to entertain tabling the motion for a couple of weeks.

Selectman Bean: I would like to hear from Mr. Welch.

Town Manager Welch: this goes back to 1959; the State spent \$250,000 in the 90s try to fix things up with the sidewalk. The Town currently has 12.97 miles of sidewalk that we clear; another 6.64 miles of sidewalk that we do not clear. If we reach an agreement with the State, which is not a bad idea, we would be adding 2.51 miles. I think what you see here is something that is going to have to go through Governor Council and have to be a formal proposal; needs to be close cooperation between DRED, DOT and the Town. This is worth looking at, and we should spend some time on; we should have a contractual agreement; it would save the Town, State and the people a lot of money. You need to explore this, as there is very specific wording here that has very specific meanings and I would want legal counsel to look at it.

Selectman Bean: so you are saying legal needs to look at it. Town Manager Welch: these are words that have specific meanings when put together in this particular form, and I think we should all know from the legal standpoint what those words mean when constructed in this particular format so we are all operating from the same base, so there is no question of what we are doing and why we are doing it.

Selectman Bean: this is still a State piece of property that Hampton will maintain? Town Manager Welch: yes.

Mr. Watson: if there wants to be a conversation about ownership, and transfer of ownership from the State to the Town of any portion of the road or sidewalks, that is a conversation that can be; I am not saying we should or have to, but that is part of the project development process. That is not something any of us can answer tonight. To the wording of the motion in front of you is the recommendation of the Beach Commission. If in your review with the Town Attorney or amongst yourselves, there needs to be some modification to that wording, so that when conversation of an agreement moves forward and negotiating and compromising happens, do not be wedded to the wording here. We should be willing to compromise and have communication, so we walk away with a common understanding, and a comfortable understanding; we just want the conversation to happen.

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Chairman Bridle: we all do.

Selectman Griffin: I feel that the \$96,000,000 that the Beach is going to contribute, or the over \$12,000,000 that is going to be contributed from Ocean Boulevard; I do not want the sidewalks to be caught up in this discussion. The taxpayers that live in Hampton need to be served now; this is only one small step and still will take 8 years, but why would we delay it.

Selectman Waddell called for a vote.

Selectman Bean: wants to amend the motion.

Selectman Waddell said his motion has priority.

Chairman Bridle said yes it is a priority motion; if the motion fails then we could come up with another motion; we had a call of a vote.

(See motion and vote above)

Mr. Ladd: anyone who would like to volunteer for the Sea Castle Event can call Jim at 603-327-7154.

#### VI. Town Manager's Report (3:02:40)

1. The USS Hampton arrived at the Portsmouth Naval Shipyard on Wednesday morning for a 20 plus month stay for essential work and refitting.
2. It is Dog License time again. Please see the 'Town Clerk for the renewal of your dog's license before the increased fees take effect on June 1<sup>st</sup>.
3. Memorial Day exercises will take place on Monday, May 30<sup>th</sup> at the Hampton Beach Marine Memorial starting at 8:00AM with the parade stepping off at 11:30AM from the Fire Department parking lot on Winnacunnet Road proceeding down Winnacunnet Road to Route 1, up Route 1 to High Street to the High Street Cemetery for exercises. There will be an outing at the Hampton Academy starting at 12:30AM lasting until 2:00Pm, where food can be purchased.
4. The Hampton Victory Garden expressed its appreciation to the Public Works Department for their help in enlarging the Victory Garden so that they now have 50 garden plates available for Hampton residents. They gave special praise to Toby Spainhower who assisted them throughout the 2-year process of enlarging the garden area.
5. 2016 Household Hazardous Waste Collection Day will be June 4, 2016 at the Public Works Facility from 8-12; please go to website see lists of what is acceptable to bring and which items you will be charged for; also list of things that cannot be brought.
6. House Bill 1198 has gone to House of Representatives, and was concurred in by a voice vote and is on its way to the Governor's Office for consideration.
7. We have staff looking into the recent announcement by the Federal Government of the changes in the Department of Labor's overtime rule.
8. Have notice from Unitil, which will affect everyone living on a Unitil high tension line, they will be spraying herbicides along the entire route of the power line starting after June 18, 2016. Will start at Victoria Drive and come across Timberswamp, behind Pennington Lane, and go across Towle Farm Road, going to Beach substation, running to power substation near North Hampton Town line. If you do not wish to have the

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herbicide sprayed near your property, you will receive information telling you how you can apply by June 18<sup>th</sup> so they will not spray in your area.

VII. Old Business (3:08:10)

Selectman Griffin: I have asked Chris Jacobs join us; I have read his report about the sidewalks up Town, it made sense with the things that he said. It has been apparent that you do not have the staff that you need, and I would like to make sure we get it on the agendas to discuss in the coming year about adding more staff.

VIII. New Business (3:11:34)

Selectman Barnes: the public comment concerning the complaints of the camper, this is a huge issue in this neighborhood; many complaints, hopefully he will remove it.

Selectman Griffin: I agree, and heard quite a bit about it myself.

Selectman Barnes: he is very confrontational.

Town Manager Welch: will look at 7:00am tomorrow.

IX. Closing Comments

Attorney Gearreald recommends that the Board go into a nonpublic session RSA 91A:3,II,c,e Reputation and Litigation to discuss matters.

X. Adjournment

Selectman Waddell MOVED to enter into nonpublic session under RSA 91A:3,II,c,e and asked for roll call at 10:09 PM SECONDED by Selectman Barnes.

VOTE BY ROLL CALL: 5-0-0

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Chairman