

September 12, 2016

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

## SALUTE TO THE FLAG

### I. Public Comment Period (5:05)

John King: wanted to ask permission to use a couple of parking spaces in the main lot as they are renovating the property and contractors have a large trailer, which they store, their equipment; would be the last three spaces next to Cusack Road. Chairman Bridle: we will discuss under new business

John King: do I need to stay? Chairman Bridle: no, glad you came and spoke

John King: our complex and St. Magnus next door have only enough spaces for the residences and we have adult children and grandchildren that would like to stay over, but do not have anywhere they can park and was wondering if it would be possible to add a few more overnight parking spaces in the front lot. Chairman Bridle: we can take a look at it.

### II. Announcements and Community Calendar (7:13)

Selectman Barnes: Ben Moore had the most successful pig roast ever; we made it through another Seafood Festival, appreciation to all the departments for keeping it a safe weekend.

Selectman Waddell: congratulate the American Legion Post for their 911 event, it was extremely well done and a very moving event.

Selectman Bean: Happy Birthday to Mr. Merrill.

Selectman Griffin: the Pig Roast went very well and many local politicians were there; of the three main prizes the politicians won two of them; and donated the jackpot back to the museum; the Seafood Festival was very nice and we greeted the Governor and she was very attentive to the crowd.

Chairman Bridle: the Seafood Festival went off without a hitch, excellent event and all the departments did an excellent job; 911 memorial at the legion; Desi at the 401 did a wonderful Octoberfest event where it was a fundraiser for the American Legion.

### III. Consent Agenda (10:01)

1. Hampton Cemetery Deed: June M. White; Stephen Curran

2. Unutil Petition for Underground Gas Line License: for 253 & 263 Drakeside Rd
3. Banner/Sign License: HYA Tuck Field/Kids Kingdom Backstop
4. Conservation Commission Alternate Appointment: Anthony Curro
5. Outside Entertainment License: Old Salt 10/22/16

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

VOTE: 5-0-0

#### IV. Appointments (10:35)

1. Ed Tinker, Chief Assessor
  - a. Presentation of the 2016 MS1

Mr. Tinker: presented you with the 2016 MS1; there are three reports; one is the overall Town value, we determine the taxable value for the year to set the rate; completed revaluation this year \$3,301,877,500 that is the taxable value, an increase of just over 18% from last year. The other two MS1s are for the main Precinct and the other is for both the Precinct and partial Precinct values.

Selectman Barnes: the 18.3% that has gone up; could you explain how since we have not had a revaluation since 2011, that the increase is not just for one year. Mr. Tinker: it actually relates to the past two years; we analyze the sales from 2014-2016; between 2012-2013 the market remained the same; 2014 the ratio dropped, so the market increased at a considerable rate; in 2015 the ratio went down to 89.4%. We looked at the sales through July 2016 utilizing the 2011 data; and if we continued, using that same system the ratio would have been down to 83%.

Selectman Waddell: the homeowner's assessments went up and utilities went up; next year we will have a problem with the utilities with the bill 1198 on evaluating the telephone poles. Mr. Tinker: that bill will take effect April 1, 2017 the state will begin to value the telephone poles owned by FairPoint and the company will submit their data, the state will be setting the value of the poles and the conduit, submitting the value to us.

Selectman Waddell: it will have an effect? Mr. Tinker: yes

Selectman Bean: you have lead magnificently and we appreciate it; the document mandated by statute; the average price is \$300,000 and your valuation closely mirrors sales price; you just added close to \$60,000 to your balance sheet; many communities cannot say the same thing. We are committed to keeping the operating costs of this Town and identifying infrastructure challenge in keeping the costs and responses with taxpayer dollars to a minimum. Do you have a list of exempt properties? Mr. Tinker: yes, it will just take a minute to run it.

Selectman Bean: interested in a detailed analysis how much more utilities are given exemptions than the average taxpayers in this Town, we are lucky to have you on Board.

Selectman Griffin: thank you for everything you do; we are happy to have you here.

Chairman Bridle: when do we set the tax rate? Mr. Tinker: the MS1 is due by the 15<sup>th</sup> and once it is signed by the Board I will send it over to the DRA and once all the pieces of the tax rate get submitted, they will set our rate, typically sometime towards the end of October.

Chairman Bridle: there should be some way we could get an idea of what the tax rate may be reduced by because of the evaluation.

Mr. Tinker: Kristy may be looking at the Town portion; the County and School portion would be difficult to pinpoint.

2. Chris Jacobs, DPW Director, Jen Hale, Deputy DPW Director & John Nyhan Experience Hampton (21:10)
  - a. Crosswalk Lighting

Mr. Nyhan: other members of Experience Hampton present: John Tinios, Diane Witty, Dean Merrill, Bob Preston, George, Kristin Russell & Rusty Bridle

Mr. Tinios: Experience Hampton was a thought that came to me after my mother passed and wanted to honor her, what we could do for a better community, more progress, safety and the individual economic development. We undertook the 20/20 Fund and the first project we did was the pathway from the municipal lot to the center of Town. We want to continue on the safety issue to improve the crosswalks in Town; an enhancement to the crosswalks with a solar lighted system that would alert the motorists and enable the pedestrians to use the crosswalks safely. We have two set up so far; the Schools are under taking enhanced crosswalks this year also; we see several other projects down the road.

Mr. Nyhan: at a recent meeting for the 20/20 project we would partner with the Town and help contribute to the costs of two LED crosswalks; we are here to present a check to the Town of \$6,612, which will cover 50% of the costs of the two crosswalks. We also plan to provide additional funds for additional crosswalks as the Town continues to improve the roadway between Winnacunnet and High Street.

Director Jacobs: very pleased to see a group to take the initiative to improve Hampton; we concur with the lighted sidewalks are warranted in those locations and we have the money in the budget for this year if you concur; we could get done in approximately 60 days and the School is putting one out front.

Mr. Tinios: would like to commend the DPW and Police Department for the new water lines, keeping businesses open and providing safety.

Chairman Bridle: the new-lighted crosswalks are a great addition to Town.

Selectman Griffin MOTIONED to ACCEPT the check of \$6,612 from Experience Hampton 20/20 Fund for LED Crosswalks SECONDED by Selectman Barnes.

VOTE: 5-0-0

Chairman Bridle took 5-minute recess at (31:27)

Chairman Bridle welcomed everyone back at (33:32)

3. Chris Jacobs, DPW Director, Jen Hale, Deputy DPW Director (33:45)
  - a. CWSRF Loan Application for Funding of the Asset Management Program
    - i. Stormwater and Wastewater Assets

Ms. Hale: the State has a program were we could implement Asset Management software and start doing inventories on our drain and sewer lines. It is loan forgiveness and requesting \$60,000 and we would be getting \$30,000 from the Wastewater component and \$30,000 back

Stormwater component so the net expenditure would be zero. It is a loan, and the State would forgive the balance.

Selectman Waddell MOTIONED to APPROVE the acceptance of the CWSRF loan money and then expend it SECONDED by Selectman Barnes.

VOTE: 5-0-0

b. Bid 2016-014 Sidewalks: Waiver of Purchasing Policy §718-4.B (1)&(2)

Ms. Hale: we identified a section of walkway along High Street from Hobbs Road to Marston School and put out to bid to 11 contractors and received zero bids back. We met with School and sent out a revised bid, extended bid due date and again sent out to 11 contractors and did follow up calls, placed on website and only received one bid. This was a two section bid adding eight ramps on sidewalks along High Street to bring up to code. The bid came in too high, and the added constraints in the bid we would be able to add or remove work from the scope and by taking four of the ramps and the Marston Road project we would have money to complete the work; one mathematical error was found; would do asphalt component from Marston to Hobbs Road.

Selectman Barnes: Jamco is the only one you heard from; went from almost \$86,000 down to \$64,000 due to it being four instead of eight ramps. Ms. Hale: yes, it is the warrant article amount as well as our budget line.

Selectman Waddell: what is the reason why nobody bids? Director Jacobs: there is a lot of more profitable work for them out there and everyone is busy.

Ms. Hale: we are not the only Town; Portsmouth has three jobs waiting and no bids

Selectman Bean: I support the effort.

Town Manager Welch: they have done their due diligence and should make these improvements for the public's safety and do the improvements before the winter comes.

Selectman Waddell MOTIONED to APPROVE the Waiver of Purchasing Policy §718-4.B (1)&(2) Bid 2016-014 Sidewalks SECONDED by Selectman Barnes.

VOTE: 5-0-0

4. Peter Ross (45:22)

a. 230 Exeter Road Change of Use Abatement

Mr. Ross: apologize for the mix-up last week; Board received copy of letter August 17, 2016.

Town Manager Welch: tax abatement; taxes not assessed for current use tax penalty on property, but would be if Mr. Ross took building permit and start work on property. Then the Assessing Department would under the Statute assess the current use tax penalty and at time he would come back and ask for what he wishes and it is the time to make an abatement if necessary.

Mr. Ross: bought land 3 years ago; build on back land; overwhelming response to see nothing built there; have worked out solution to build two houses and would donate 12 acres to the Town. Saw Ed Tinker and he said to get the abatement I would have to come before the Board.

Chairman Bridle: you cannot do the abatement until you start to build; when you take your permit out and start the project that is when the fee kicks in.

Mr. Ross: the fee is \$30,000 and called Current Use Tax; when pull land out of current use it would then be assessed, but donating 12 acres of land it does not come out of current use; the Town can do what they want with it; fairly substantial piece of land.

Selectman Bean: read your letter; current use triggered by actually taking the land out of current use; I support your intent; very valuable land; you would have no problem donating the land to the Conservation Committee. Mr. Ross: no problem.

Selectman Bean: you have timber rights on the property. Mr. Ross: that is correct. Selectman Bean: support your intent; approve maximum amount of relief when you execute this transaction.

Selectman Griffin: I agree with Phil.

Selectman Barnes: I agree.

Selectman Waddell: I agree.

Mr. Ross: would I have to come back or would Mr. Tinker handle this.

Town Manager Welch: you would file a request for abatement, and Mr. Tinker has the form and he would then send it with the Board.

Chairman Bridle: this Board would probably approve; get building permit, start process, then ask for abatement, which would come to us and start the approval.

Selectman Griffin: is there any possibility that the Town could use the land for something besides conservation land.

Town Manager Welch: if it is given to the Town, and the Town can use for any purpose it sees fit for.

Chairman Bridle: there is access off Langdale? Mr. Ross: there is a 50' right-of-way off Langdale, which goes with the land

5. Dennis Thompson, Northern New England Field Services (54:30)
  - a. Seawall Permit for Repair of Seawalls at 16, 20, 24, 28, & 32 Nor' East Lane

Mr. Thompson: request to repair seawalls; they received permit November 7, 2013 to do the work, but has not been accomplished; permit good for 5-years. The engineering firm they hired has been approved; need Selectmen's approval

Selectman Griffin MOTIONED to APPROVE the Seawall Permit for Repair of Seawalls at 16, 20, 24, 28, & 32 Nor' East Lane SECONDED by Selectman Waddell.

VOTE: 5-0-0

6. Bob Dockham, RK DOLLA, LLC (56:00)
  - a. Street Naming for Wanda Robertson Drive

Mr. Dockham: found out the name of development was voted to be changed to Wanda Robertson, was not notified of a problem and not overly fond of name instead of Robertson Drive; there was also Bernie Robertson.

Selectman Bean: I made the motion; you had been in a series of communications with everyone, but the Board of Selectmen. I want to exhort the highest respect for Wanda Robertson and I feel uncomfortable with the whole notion. I support your statements, your

comments and I would not have made the motion and been more responsive to your concerns and open to other options.

Selectman Griffin: I feel bad about Wanda, she was such a nice person, but did not think it was a good idea to begin with. It is an uncomfortable position that everybody is in now, I wish that we had stayed the way it always was, that the streets are named for people killed in the line of duty.

Selectman Bean: is there a preference for a name that you have Mr. Dockham? Mr. Dockham: I am more than willing to work with the Town; I just did not think that was a great name

Selectman Bean: we will cooperate to you if you work with the 911, in accordance with the Town and Mr. Welch then we can revisit this.

Town Manager Welch: we have a list of names; unfortunately, many names are too close to existing streets; unfortunately with the exception of two the names have all been used; Robert F. Preston and Beverly A. Hollingworth; asked DPW, Police and Fire to give a list of names for people who died that worked for their departments.

Chairman Bridle: give us a couple of weeks to come up with a list.

V. Approval of Minutes (1:05:35)

1. August 22, 2016

Selectman Waddell MOTIONED to APPROVE the Minutes of August 22, 2016 as submitted SECONDED by Selectman Barnes.

VOTE: 5-0-0

2. August 29, 2016

Selectman Barnes MOTIONED to APPROVE the Minutes of August 29, 2016 as submitted SECONDED by Selectman Waddell.

VOTE: 5-0-0

VI. Town Manger's Report (1:06:00)

1. Solid waste tonnages have increased for August 2016 verses August 2015. The refuse volume is up 56 tons and recycling volume is up 37 tons. That represents approximately six additional trips to dispose of the materials collected. Please remember that recycling materials are tipped at no cost to the taxpayer while refuse is tipped at \$60 per ton. Please recycle, the tax dollars you save are yours.
2. Fecal count testing in Tide Mill Creek is down from 8.1 per/100ml to 7.1 per/100mil in August from July. The legal limit is 14 per/100mil.
3. Budget reviews are progressing. Budget revisions have been distributed to Departments who will submit their questions, observations and objections during the coming week. Completed budgets are scheduled to be forwarded to the Selectmen in early October.
4. Departments are scheduled to submit warrant article drafts by the end of the week. Once submitted legal review will be scheduled and final drafts will be distributed to the Board for review and culling.

5. Final paving was scheduled for the end of the week of September 5th, weather permitting. Cleanup and final adjustments will follow the street paving. Please be patient.

Selectman Waddell: keep encouraging recycling.

Town Manager Welch: can substantially cut that appropriation, which can be done by simply recycling paper; cut by 50%.

Selectman Waddell: what are we doing to encourage people to recycle? Town Manager Welch: we will take all shredded paper; encourage new homeowners; if all glass is recycled that could save a lot of money

Selectman Griffin: is it all types of glass. Town Manager Welch: Pyrex glass is not recyclable; DPW has a list, but there are certain types of glass that is not recyclable; Seabrook has a huge recycling truck.

Selectman Griffin: would be a good idea to decal our recycling truck, maybe it would help in the summer; Hampton had a first lady Jane Appleton Pierce. Town Manager Welch: there is a road named after her in Town; on her birthday, we try to put a wreath on her gravesite.

Chairman Bridle: we have a letter from the person at Seaborne Condominiums; does anyone have a recommendation to parking for a couple of weeks.

Selectman Waddell: there is no problem in allowing this.

Selectman Waddell MOTIONED to allow the Seaborne Condominium Association to use the three spots bordering Cusack Road for the two weeks of construction SECONDED by Selectman Griffin.

VOTE: 5-0-0

Selectman Griffin: what is the policy about the overnight parking? Town Manager Welch: there are some overnight spaces

Selectman Griffin: he is saying there are a limited number of overnight spaces; what is the policy? Town Manager Welch: the Board established that policy; each space is marked and there are five total

Mr. King: yes, there is only a handful; the problem is having children and grandchildren.

Selectman Griffin: what is the policy for the ones that stay overnight?

Town Manager Welch: as long as the State cover the machines, which usually happens at the end of October you can park all the rest of the year until they take the covers off again. Their regulations say 24 hours per day/365 days per year; they determine when they are going to cease, which is sometime in October, then anybody can park. Short of that technically you are supposed to pay to park their all the time, but I know they do not enforce that.

Chairman Bridle: the hard part I see is more overnight parking you make, the harder it is for us to get in there and clean

Town Manager Welch: we do allow parking in some of the municipal parking lots when a snow emergency is declared; we plow some paths through and request people to remove their vehicles by a certain time the following day, so we can clean lots and if it continues to snow they can park there again the following night.

Chairman Bridle: I think this is more summertime that he is looking at? Town Manager Welch: there are restrictions; we try not to issue tickets, except in the summertime.

Selectman Waddell: I think before we make any decision we should look at what the policy and regulations are then bring up in another meeting.

Chairman Bridle: we will look at it. Mr. King: I am grateful for that

## VII. Old Business (1:18:00)

### 1. Approval and Signing of Lease 10 Ancient Highway

Selectman Bean: there has been a lease prepared by the Law Office of Casassa. On paragraph four I would offer an amendment that it state: “the term of this lease shall be five years beginning September 12, 2016, continuously and perennially and without interruption, renewable by the lessee, their successors and/or assigns in accordance with current applicable NH State Law for a period of 99 years”.

Selectman Bean MOTIONED to APPROVE as amended the terms of the Lease 10 Ancient Highway SECONDED by Selectman Griffin.

VOTE: 5-0-0

Selectman Griffin: what is going on about this letter from a woman complaining about the noise at Bernie’s? Town Manager Welch: I received that today and forwarded to the Chief of Police; he will do an inquiry and they will go down to her particular property and test the noise levels.

Selectman Griffin: other properties are complaining too. Town Manager Welch: we have not received any other complaints this is the first one

Selectman Griffin: you told me to have them call the police and that is what I am doing. Town Manager Welch: if there is no action from the Police Department, please let the Selectmen’s office know so we can tell the Board what is going on, so we all know what is occurring.

Selectman Bean: the Town of Hampton vs Morgenstern; notice of decision on the attachment stipulation paragraph four: in entering into the stipulation and waiving the September 2, 2016 hearing, the defendant and then it says nothing in terms of gives up, or upholds, or retains, it is silent. The defendant the right to file an objection, request a hearing on the attachment and seek any other relief thereto. It is silent on that, it is incomplete and it is ambiguous; it is a notice of decision and does not say whether the defendant has a right to appeal that it is an error that would not pass a high School business course. Perhaps counsel can address that and inform the Board.

Town Manager Welch: yes, I read that also.

Selectman Bean: would ask that we schedule a brief informational hearing on the ADU issue; it is an important issue, we heard tonight about the Assessing, it is a property owner right, it is an expansion of rights under state law; it is a good thing especially with affordable housing needs in this community. If we could schedule a brief by the Town Planner and Town Counsel in the next coming weeks, as we get into the warrant article season.

Selectman Waddell: ask the Planning Board Chairman to come in also.

Town Manager Welch: I have so noted



Selectman Bean: there is litigation that has been adjudicated at the Concord level, City of Dover cap on education, it has serious ramifications and would like to get a presentation; it is removing a cap and has potentially exposes us to additional taxation according to my initially perusal.

Chairman Bridle: would that be through the Superintendent's office

Town Manager Welch: I would think he is looking for counsel to address the statutory or legal

Selectman Griffin: after talking to one of the firefighters; now they are making a trauma center in Seabrook and bringing people over there. Part of the discussion was that people do not know when they should call an ambulance. We could have a discussion of when people should call or go to one of the different medical centers, they like it much better than going to the hospital.

Chairman Bridle: this would be a good time when the new person is hired for cable committee to put on Channel 22 a new program about services, when to call, who to call, etc.

### VIII. New Business (1:27:10)

#### 1. Sale of 1988 E-One Cyclone IV Pumper

- a. Waivers of Purchasing Policy §718-4 Sub-section B (2) & §718-16 less than three Bids

Town Manager Welch: we had one bid from Louise Bridle for \$301.00

Selectman Bean MOTIONED to APPROVE the Waivers of Purchasing Policy §718-4 Sub-section B (2) & §718-16 less than three Bids for Sale of 1988 E-One Cyclone IV Pumper SECONDED by Selectman Waddell.

VOTE: 4-0-1(Bridle)

Selectman Waddell: need a schedule for tomorrow.

Chairman Bridle: Selectman Barnes will do 7-10; Selectman Waddell will do 10-3; Chairman Bridle and Selectman Griffin would do the close.

Chairman Bridle: reminder voting from 7AM-8PM at Marston School.

Selectman Griffin: will not be here next Monday night.

### IX. Closing Comments

### X. Adjournment

Selectman Bean MOVED to enter into nonpublic session under RSA 91-A:3,II,(c),(d) and asked for roll call at 8:26 PM.

VOTE BY ROLL CALL: 5-0-0

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Chairman