

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

February 6, 2017

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

SALUTE TO THE FLAG

7:00 PM

I. Public Comment Period

Jed Carpentier: thank board members for their unanimous support of our firefighters contracts; thank negotiations team; concessions made on health care prescription plan; stay competitive with other towns; vote yes on Articles #15 and #16.

II. Announcements and Community Calendar (10:34)

Selectman Barnes: speaker at Water 2.0 Conference scheduled on April, sponsored by General Electric digital; includes water and energy industry authorities, utilities professionals, EPA representatives and potential private investors. The purpose is to present the Town of Hampton infrastructure needs, mainly focusing on wastewater and wastewater treatment plant; presenting towns 5 year improvement plan. The information has developed, laid out and explained to me by both the Director and Deputy Director of the DPW; thank Chris and Jen under the leadership of Fred for getting the information I will present; hope we can find some alternative funding for our town and its needs.

Selectman Waddell: the deliberative session was attended by about 75 people; do your research on the warrant articles; exercise your right to vote.

Selectman Bean: document does not deserve to be recognized, but is out there, from Mr. Silberdick from the Rational Taxpayers and he is looking for money to support his letter; it is the standard six-pack of totalitarian, disinformation, opprobrium, inaccuracy, character assassination, misogyny, and pugnacious nonsense that we have come to expect from that group. If you did not get it is because he has only solicited the highest tax properties in town; he goes across the gamut from department head to selectmen and nobody is good enough for him. I am proud to serve with this board and with department heads; proud that everybody has moved away from the nonsense.

Selectman Griffin: thank everybody that did come to the deliberative session, and maybe if word gets out that it was the shortest one in recent memory.

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Chairman Bridle: schools deliberative session is Thursday night at 7PM at the Hampton Middle School; SAU90 deliberative session; best wishes to Mr. Bean's mom

III. Consent Agenda (15:20)

1. Road Closure Permit: Thorwald Avenue and Spruce Street 02/16
2. Parade and Public Gathering Licenses: Eastern States 20-mile 03/26; Half at the Hamptons 03/05
3. Use of Town Property: Town Offices Hampton Garden Club 05/20
4. Entertainment License: Ron Jillian's Italian Bar & Grill 853 Lafayette Road
5. Lease Land Renewals: 6 Atlantic Avenue John C. & Judith Calvey; 23 B Street Phyllis Grammatic; 10 I Street Rage Family Revocable Trust; 14 I Street Rage Family Revocable Trust; 16 I Street Harold Miller; 4 M Street Richard A. & Pauline J. Bergeron; 12 Q Street Elizabeth F. Manley
6. 2017 Land Rent Commitment List

Selectman Waddell: on the road closures and entertainment, there has been no input negatively by the police.

Town Manager Welch: the chief has signed the permits.

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

VOTE: 5-0-0

IV. Approval of Minutes (16:20)

1. January 23, 2017

Selectman Barnes MOTIONED to MOVE the APPROVE the Minutes of January 23, 2017 as submitted SECONDED by Selectman Waddell.

VOTE: 4-0-1 (Griffin)

V. Appointments (16:48)

1. Chief Ayotte and Deputy Kennedy, Fire Department
 - a. Departmental Update

Chief Ayotte: one firefighter was medically retired, his vacancy was filled with a probationary firefighter and he resigned after one month; new member was sworn in February 1, 2017; still one opening. Answered 4,517 calls for service in 2016 broken down as follows: 2,140 fire calls and 2,377 patient contacts; 48 reportable fires in 2016; emergency medical service side had a total of 2,377 patient contacts; administered Narcan 46 times in 2016 increase of 18%; Narcan administered 5 times in 2017. We purchased a power load system, which is capable of lifting up to 870 pounds. Fire prevention bureau performed 271 inspections; issued 193 permits and collected \$16,108.40; 16 display fireworks inspections. Communications division answered 28,280 phone calls; average 78 calls per day; new phone system installed, have a vacancy on the administration side. Submitted application for a 2016 Homeland Security grant for \$6,000; received award letter.

Selectman Barnes: 4,517 calls for service in 2016 it has continually increased. Chief Ayotte: yes, we have seen an upper trend

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Selectman Barnes: average 78 calls per day, which could be for fires or people at home. Chief Ayotte: yes, or a permit question; 24/7/365

Selectman Barnes: thank you, the town appreciates all the work you do.

Selectman Waddell: good report, can you explain mutual aid.

Chief Ayotte: the Ashworth Avenue fire upon arrival they were told someone was inside; two engines and ladder truck were dispatched; knew potential for victim called for first alarm; each additional alarm calls for two more engines and a ladder, so mutual aid was Seabrook ladder that arrived. North Hampton and Rye Ambulance came directly to the scene Portsmouth and Hampton Falls went to the stations to protect the rest of the town.

Selectman Waddell: what are the finances behind that? Chief Ayotte: the understanding that it is mutual aid, when they call we go; no charge.

Selectman Waddell: the grant you got is very good; when you respond to Narcan, do you get back up from the police. Chief Ayotte: it is a great team effort and they show the same time we do; we have our mission and they have theirs.

Selectman Griffin: what is the status of the property that had the fire? Chief Ayotte: we completed our investigation and turned the property back over to the owner, and they will lock the building and keep the contents secure; there are some structural considerations in the building; we assisted residents in getting out some of their clothing and medications; the insurance company will assist the owner.

Chairman Bridle: the engine and ambulance go out at the same call, why do they do that. Chief Ayotte: they are there to assist; we want to minimize the risks; the engine company is there to assist the patients loaded to the back, carrying equipment; may require more people to assist; our fire engine is our office, they are there to provide a service

Chairman Bridle: glad to see the new lift system in the ambulance; helps a lot of the back injuries. Chief Ayotte: that is one of our three ambulances to have it and look forward to having each ambulance have it in the future

2. Kristi Pulliam, Finance Director (39:30)
 - a. Monthly Financials

Director Pulliam: final report for 2016 and are the unaudited financials for 2016; the auditors will be in February 27, 2017 and once they come in I will officially close out. The revenues are currently at \$8,005,818 over the adjusted budget amount of \$6,790,934 by \$1,528,206; noted in report that the revenues used to set the tax rate were \$7,612,000; came in about \$393,000 over what was used when the tax rate was set, so that would be considered the excess revenues for 2016 that were collected. Some of the key revenue totals for the year were payment in lieu of taxes @ \$241,514; interest on taxes @ \$304,172; motor vehicles @ \$3,420,242; building inspection permits @ \$262,198; federal grants @ \$149,156; rooms and meals tax @ \$778,228; highway subsidy @ \$311,810; state water pollution control @ \$210,416; departmental income @ \$579,023; sewer agreement @ \$108,251. Parking lots had a net amount of \$491,922, gross amount \$614,901 with \$122,980 being transferred to the Recreation Infrastructure Fund; land rent @ \$160,403; real estate trust income @ \$668,170. The expenses are currently running under budget by \$571,055; in November under budget by \$736,279, the gap has closed; majority of difference is related to the transfer of \$171,242.78

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for the compensated leave trust. As a whole, the departments ended under budget. The investment policy needs to be approved and signed; summary of warrant articles and purchase orders need a vote by the Board of Selectmen in order to bring them forward into 2017. The purchase orders that are open and a list of all the warrant articles that need to carry forward into 2017. I tried to note whether they are non-lapsing or if they have an expiration date, as some will be expiring at the end of March, but need to be left open as we have bills that are still coming for those warrant articles. The purchase orders for the end of the year total \$789,707; it should be noted \$353,000 is related to the warrant article for the DPW vehicle purchases; \$109,000 for the recreation infrastructure and playground equipment; DPW Jamco \$158,497 for the wall at Bicentennial Park. \$789,707 for purchase order and the warrant articles total \$1,713,024 for a total of \$2,036,979.11 looking to bring forward between the warrant articles and purchase orders.

Selectman Griffin MOTIONED to bring forward the 2016 encumbrances amount of \$789,707.11 SECONDED by Selectman Waddell.

VOTE: 5-0-0

Selectman Griffin MOTIONED to bring forward the 2016 Warrant Articles amount of \$1,713,024 SECONDED by Selectman Barnes.

VOTE: 5-0-0

Selectman Waddell MOTIONED to ACCEPT Investment Policy for Fiscal year 2017 SECONDED by Selectman Griffin.

VOTE: 5-0-0

Selectman Barnes: the budget Committee noted at their last meeting there was confusion about the MS737 form; could you explain that.

Director Pulliam: they were confused due to the revenues on that form at \$13,017,395 and that differed from the amount that was in the budget book, which was \$6,000,871; the basic difference there was in the budget books you have operating budget plus you have what we predict the revenues for the year. At the time, the budget books are prepared and distributed and all the way until November, those revenues are just for information purposes; we do estimate revenues that are due to the state on September 1 and then November they look at the revenues again before the tax rate is set. Those revenues are basically, the income that the town brings in from building permits, motor vehicles, payment in lieu of taxes all the big items that I just hit on for you; the \$13,000,000 that was on the MS737 includes all of those revenues. The \$6,000,871, but also includes any off setting revenues related to any warrant articles that were on the 2017 ballot on the warrant. Includes \$307,854 related to the warrant articles for the highway block grant; Article 12 \$60,000 asset management; \$16,060 Article 13 the wastewater air study; \$30,000 experience Hampton; Articles 27 & 28 \$189,740; \$5,000,342 for Lafayette Road and the force main; \$200,000 for Articles 25 & 31.

Chairman Bridle: I am glad you explained that, as they were confused.

Selectman Barnes: in the letter that Mr. Bean referenced says lack of being published of the 2015 audit, as I recall we discussed that audit January 23 and looking back at the town website you had posted it prior to the selectmen's meeting; want to point that out it was available

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Selectman Waddell: good report; the revenue we took in, we were not over by much; expenses were over by what.

Director Pulliam: we were not over we were under by \$571,000.

Selectman Waddell: the \$571,000 leaves us a buffer zone throughout the year; when we are under where does it go.

Director Pulliam: after the audit it goes to the unassigned fund balance.

Selectman Waddell: most years the selectmen take the money to offset the tax rate; making sure we get through the year with the appropriate amount of money. The budget was mainly about 90% spent.

Director Pulliam: about 97%.

Selectman Waddell: we are in the black, which is good, the money will go back to the taxpayers; a couple of items that had a large increase; one was the Emergency Management.

Director Pulliam: we did the Hazardous Mitigation Plan in 2016 we are getting money back about \$7,500.

Town Manager Welch: the state requires us to do that so we can file for flood damage for people that live in the town

Selectman Waddell: this will go on the website. Director Pulliam: it is already there

Selectman Waddell: the monthly reports are on the website each month, the audited from 2015 is on the website; the unaudited is on the website; when the audit is finished it will be on the website and the town report; so anyone can look and see where the town spent the money

Selectman Griffin: thank you for explaining about the shots that were taken at you, I knew they were not valid; thank you for all you do, you do a great job

Selectman Bean: the Silberdick diatribe; I would be happy to meet with you, Mr. Welch and Mr. Silberdick, without cameras, bring the balance sheet, net position statements, warrant articles and demonstrate to him without fanfare, without nonsensical slander and liable that you administrate one of the finest corporations in New England. Mr. Welch has provided outstanding leadership, as are our department heads; it is a remarkably well run corporation; I will wait for Mr. Silberdick's call.

Chairman Bridle: excellent job; thank you for explaining

VI. Town Manager's Report (1:02:58)

1. If you have a vehicle to register in February or other business with the Town Clerk's Office, please remember that the Clerk's Office will be closed for business from February 17th to the 21st as the state's computer systems are being changed over.
2. Property owners who are interested in filing for tax exemptions must see the Tax Assessing Office. Exemptions include elderly exemptions, blind exemptions, veteran's exemptions, and solar exemptions. Please visit the Assessing Office in the Town Offices for the necessary forms. Exemptions must be filed before April 1, 2017.
3. Property owners in the Hampton Beach Village District who desire their tax exemption should see the Assessing Office as soon as possible.

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4. Thank you to those residents who are removing their solid waste and recycling carts after they are collected by town forces, your prompt removal after collection has helped the town forces in plowing and sidewalk clearance.

VII. Old Business (1:04:49)

1. Deliberative Session

Selectman Barnes: if the article to abolish the budget committee were to pass, would the board consider putting together an appointed, independent new board if the town agrees not to have a new board.

Selectman Griffin: I do not think it is a good idea to talk about it before it is voted on.

Chairman Bridle: a lot of good discussion at the deliberative session; town moderator did an excellent job; disappointed there were not more people there.

Selectman Bean: how much was the budget up last year. Town Manager Welch: less than 1%; 0.72%

Selectman Bean: right around $\frac{3}{4}$ of 1%; to counter the Silberdick letter on mismanagement; under warrant articles, the selectmen do not spend that money that puts the choice in the voter's hands. There were many speakers; there was not a more cogent and articulate reason for why I support on eliminating the budget committee than our esteemed Hampton citizen, Army officer, state representative, long time public servant Fred Rice, without any negativity spoke about the myriad reasons why the Budget Committee should not be allowed to continue. He is an honest man, a man of integrity and great public service; above all, he put those words together succinctly; commend anybody to listen to Mr. Rice's remarks on why I support the Budget Committee not continuing, and not in favor of a review committee. The budget was up less than 1%, despite all the hyperbole and nonsense from Mr. Silberdick; a great job last year Mr. Welch and department heads.

Selectman Waddell: I thought the deliberative session went well; two sides to different arguments; listening to those who spoke factually was important; research yourself as voters and make your vote known.

Selectman Barnes: the precinct is having a meeting Wednesday; some department heads will be there to explain the warrant articles.

Attorney Gearreald: Warrant Article 43 about shifting the responsibility of the default budget determination to the Budget Committee as opposed to the Selectmen; a point was brought up if that required instead of a majority vote a $\frac{3}{5}$ vote. In doing research it needs a $\frac{3}{5}$ vote, it also needs a public hearing notice in the paper within a certain time frame prior to March 14.

Town Manager Welch: February 27, 2017 we will be having a public hearing and it will be noted in the newspaper.

2. Acceptance of Deeds for Drainage Easements at 167 North Shore Road and 6 Lancaster Street [Costello and Fratto] and payment of \$4525.00 as cost share

Attorney Gearreald: came before the board last March; was a proposed dwelling to be built and at the rear portion was an old drainage pipe without the benefit of a written recorded easement; pipe needs to be moved, replaced with a new drainage line. Town will end up with two drainage easements; one at 167 North Shore Road and the other at 6 Lancaster Street. The

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board went through all the processes; involving a couple of twists; one was that the Fratto property had before a foundation drain that hooked into the spot of the drainage line and once built again had a connection to the drainage line; hold harmless agreement in favor of the town and these were accomplished. Another thing that the needed to happen was that the town would bear a portion of the cost of the new drainage line; and the share of the cost was worked out to be \$4,525. We are asking the board re-sign the acceptances that were signed last March and approve the \$4,525 share to be paid.

Selectman Waddell MOTIONED to MOVE the APPROVE the Acceptance of Deeds for Drainage Easements at 167 North Shore Road and 6 Lancaster Street [Costello and Fratto] and payment of \$4525.00 as cost share SECONDED by Selectman Barnes.

VOTE: 5-0-0

VIII. New Business

IX. Closing Comments

On MOTION of Selectman Bean, SECONDED by Selectman Barnes, the Board of Selectmen voted unanimously by roll call (5-0) to go into a non-public session at 08:20PM under RSA 91-A:3, II (c)(e) [Reputation & Litigation].

X. Adjournment

The Board adjourned its Non-Public Session at about 9:10 pm on motion by Selectman Barnes, seconded by Selectman Waddell, which was passed unanimously.

At approximately 9:11PM back in Public Session, Selectman Waddell moved to seal the minutes of the Non-Public Session, seconded by Selectman Barnes, on the basis that disclosure of these minutes could jeopardize the actions to be taken and affect reputations. This motion to seal the minutes passed unanimously.

At 9:12 pm, the Selectmen adjourned the Public Session on motion of Selectman Waddell, seconded by Selectman Barnes, which passed unanimously.

VOTE: 5-0-0

Chairman