

November 20, 2017

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

7:00 PM Public Meeting

SALUTE TO THE FLAG

Chairman Waddell: If anyone is here about the warrant articles, they need to speak during the Public Comment Period.

I. Public Hearing pursuant to RSA 41:9-a

1. To increase the Administrative Fee for Police Details from a 30% to 50% to cover the current NHRS costs, Medicare costs, and to offset the Town's Workers' Compensation Insurance costs.

Town Manager Welch: the town currently assesses a 30% administrative fee to vendors for hiring police paid detail officers, the intent is to offsetting costs for the retirement system, Medicare and officers working on private details. In July the municipal rate for police officers in the NH Retirement system was raised to 29.43%, this increase along with the current Medicare rate of 1.45% has increased the town's expense to 30.88%. By comparison the town's administrative fee is low compared to neighboring communities; Seabrook 50% administrative fee, North Hampton \$30 per hour. On the current agreement, an officer is paid \$35 or their overtime rate, whichever is higher; alcohol related detail +\$3 per hour. With the variable rates of pay an officer may receive, I (Chief of Police) would recommend the town continue with a percentage based administrative fee, the fee should be raised to 50%, which covers the current NH Retirement System costs, Medicare costs and could offset the town's Worker's Compensation Insurance Costs. (Police Chief's recommendation).

Selectman Barnes: we are just offsetting the fees. Town Manager Welch: yes, if an officer works a paid detail we have to pay those administrative fees, we are trying to recoup them from the people who hire them, as part of their expense.

Selectman Bridle: it was 31% or 32%, but you want to increase to 50%. Town Manager Welch: you also have the fees for Worker's Compensation, which are very high for police officers; fee also pays for purchasing police cruisers, paying for police officer details on town projects; do not have the budget book with me so cannot tell you the administrative fee for Worker's Compensation; police officers are the highest worker's compensation pay.

Selectman Griffin: is there going to be more than one hearing. Town Manager Welch: only one hearing required by statute.

Selectman Griffin: do we have to make a motion. Town Manager Welch: yes, if you wish to do it; if do not and wish to postpone to a later date will have to re-advertise.

Selectman Bean: we just heard we have a \$30,000,000 pension obligation for unfunded pension costs for group 2; pension obligations are huge, our worker's compensation contribution is huge; extremely expensive to put a man in uniform and that does not count as training, vehicle maintenance, depreciation.

Chairman Waddell: how does this affect non-profits; fundraising, Christmas parade? Town Manager Welch: town function, police officers are paid out of that fund.

Chairman Waddell: that is not a detail. Town Manager Welch: no; town function; close the road, authorize the use; police there to protect public/control traffic, probably the only non-profit we have during the course of the year.

Selectman Griffin: it is recommended by the Chief, that should be good enough; something that has not been raised for quite some time.

Selectman Griffin MOTIONED to APPROVE the increase of the Administrative Fee for Police Details from a 30% to 50% SECONDED by Selectman Bean.

VOTE: 5-0-0

II. Public Comment Period (14:20)

Leo Pisano, Everett, MA: speaking on behalf of Uncle, Nicholas Forrestall, who lives on 10 Greene Street; speaking in favor of warrant article to appropriate funds; sometimes the cottage has become unusable due to the flooding; sent letters to Mr. Bridle and Mr. Welch and department heads. Would appreciate if you could do something down there; grass ruined; foundation; need relief; have serious problem maintaining property; here 6 months out of year. Do not draw on any services, no children involved; would appreciate money to be appropriated to solve the problem.

Mary Dray, 43 Hobson Avenue: asking for your support to grant for approval of warrant article for the flooding study; many people say it does not affect us, but will at some point; Hobson Avenue flooded; just had a normal high tide, Manchester Street was flooded.

Stephen Belgiorno, 15-17 Manchester Avenue: problem is rampant; dire emergency, properties affected; normal high tide and water is coming up the street; beg for support; appreciate what you have done so far; long range issue. Every month will be having at least 10' tides, marsh to Ashworth Avenue; basically totally incapacitated; beg you to continue with the support; appreciate what you have done

Madelyn Gavin, 8 Greene Street: appreciate your support for looking into why this neighborhood is flooding; past few weeks has been work done/dredging into marsh; do not see any change; high tide this week, still had flooding; significant flooding on Kings Highway. Town-wide issue; approve the warrant article, to find out what is going on; standing water in sewer drains; water-main replaced; water coming out of drain pipe; not just the water/flooding, but also sewer/drainage pipes have corroded, not draining. The equipment is still there from the dredging they did.

Mary Martell, 7 Manchester Street: family owned property over 40 years, never had problem before; health issue, have water/sewage from marsh; rental problem.

Timothy & Deborah Vacha, 75 Hobson Avenue: brought photos, car in the water; have to park car somewhere else due to high tide; getting worse; wall built and most of it has corroded; had foundation done 2 years ago and it is already taking a hit.

Selectman Griffin: I would like to know how long the water stays, drains out after about an hour. Ms. Vacha: yes, it comes in and goes out; houses are totally surrounded; move cars and try to get back to house.

Debra Bourbeau, 44 Hobson Avenue: was in touch with rentals from last summer had one reply from the woman who said I would love to rent your cottage, but cannot tolerate the water; would appreciate the article; we need to have this fixed; will lose property value

Chairman Waddell: this is a warrant article, even if the Board votes to approve it; it goes to a warrant article and you need to get out there, campaign, and promote it so you get the votes.

III. Announcements and Community Calendar (29:10)

Selectman Barnes: congratulations to the Winnacunnet Warriors; state champions undefeated.

Selectman Bridle: condolences to Dyana Martin, her father passed away; congratulations to the Marelli family, they were recognized by the Hampton Rotary Citizens of the Year; Channel 22 is going to start showing Voices of WWI, excellent to listen to; Peter I hope your mom feels better.

Selectman Griffin: this week when there was a high tide, the wind was blowing in and it took longer for the water to go out; hope that people do not just rely on the warrant article is going to fix their problem; look into flood insurance on their property at a reasonable rate.

Selectman Bean: echo the Selectmen concerning condolences and congratulations; Happy Thanksgiving to everybody; such a great town and state; thankful for the Chairman's leadership and Mr. Welch's leadership; birthday last week and wish Mr. Welch a Happy Birthday.

Chairman Waddell: congratulate WHS; sportsmanship was super all season; condolences to Dyana.

IV. Consent Agenda

V. Appointments (32:10)

1. Barbara Renaud Conservation Commission Chair and Rayann Dione, Conservation Coordinator
 - a. Draft By-laws for the Town Forest

Ms. Renaud: showed Town Forest Map; town forest is from Mill Road/Barbour Road/Woodland Road; entrances on Whites Lane; overlap towns with what we own. In 2015 the voters established the town forest area; 12 shares; the issue of needing to do something actively to manage the forest area was made clear to us this spring when we did the clean-up; hundreds of spent shells, refrigerator, tires; trash and debris. People need to take out what they take in; started to get complaints from users of the forest regarding target shooting; summer

intern identified fire pits, target shooting and trash. We tried to find a way to deal with issues; found ordinances from other cities and towns; we drafted a set of rules and regulations; we had a special meeting of the Town Forest Management Committee, which is made up of the Conservation Committee and the Tree Warden (DPW Director). We went over the by-laws and came up with the version before you; we would like this to be on the ballot as a warrant article; petition warrant article; would like your support to sponsor.

Selectman Barnes: is it possible to have us to bring forward this warrant article, so that it does not have to be petitioned. Town Manager Welch: you can forward any warrant article you wish.

Selectman Barnes: the by-laws are a great idea and I would like to see it put on the ballot. Ms. Dione: one addition was added today; made a table; it is our goal to connect the area so that there is one large contiguous owned park in the middle; cover any that we would gain in the future.

Selectman Bridle: we need to have more guidelines out there; how do you control it with the various number of parcels out there; have as a warrant article. Ms. Dione: the town forest community has a number of projects; obtaining more land; signage; summer conservation monitor; finalize GPS coordinates; important step.

Selectman Bridle: we can make by-laws when it is ours, but tough when it is a private landowner. Ms. Renaud: some of the parcels in the center area, they are landlocked, undeveloped and based on ownership records, the owners do not live in the area; reach out to the owners and try to acquire them; we think we can do it for low money; working on trail markings.

Selectman Griffin: the landlocked lots are any buildable? Ms. Dione: they would have to connect to something else that has frontage.

Selectman Griffin: marshy out there. Ms. Dione: there are sections that are wet.

Selectman Bean: I reviewed your draft and under permitted uses, I am concerned about any hunting or trapping in close proximity to residences on town property. This is not the great north, this is very close to residences; not convinced that anyone can go out there with any weapon with any degree of certified skill set, any lifesaving training; life safety issue. Section 3 prohibited uses, target shooting; no shooting range out there, I would include any bow hunting out there on the property; I would encourage those considerations; would not approve as drafted; should be more stringent. If there is any camping out there, it should be by permit. Ms. Renaud: campfires are prohibited.

Selectman Bean: include camping by document; this document needs tightening up in my estimation. Ms. Dione: are talking about under other uses, where they could get a permit for camping, or are you saying camping should be prohibited.

Selectman Bean: I do not mind if somebody goes out there and camps overnight, people should know there are people out there. Ms. Renaud: so that is under other issues; prior written approval; I wondered about trapping myself; I went onto the fish and game's website, they are highly regulated by NH Fish & Game; you have to have a permit to trap and need to be educated, trap needs to be identified; there are seasons.

Selectman Bean: I have a problem; those are state regulations, this is the Town of Hampton; should be more restrictive than the State; when you go out to Whites Lane you should assume you are not going to step into a trap, or be shot by an arrow or rifle/pistol.

Chairman Waddell: I like the general outline, needs more work; not sure how I feel about hunting and trapping; can the Town override State law on hunting/posting a whole property; need to go to legal and have more detail done on this. Fireworks are already outlawed; town forest should be a place that people can go out and feel safe; town forest is multi use; we need to know what is allowed or not allowed. Town Manager Welch: suggest you have a structured fine, not exceeding \$1,000.

Ms. Renaud: we pulled that out of the RSA. Town Manager Welch: yes, I know you did; you go to court and the Judge says that is not a serious offense/fine is \$1; have a deterrent; considered nuisance cases. Ms. Renaud: ok.

Chairman Waddell: enforcement; no dogs on the beach, but they are there every day; tighten it up and get back with us. Ms. Dione: are there any other suggestions.

Town Manager Welch: I suggest you call it an ordinance.

Selectman Bridle: I like the idea about having permits for camping; the State does a good job with the guidelines for hunting; people have used that land for hundreds of years to hunt and fish, as long as they are doing it legally, I do not have a problem.

Chief Waddell: are you going to identify bike trails; non-motorized bike on approved trails. Ms. Dione: yes.

Selectman Griffin: did the Conservation Commission take any position on dogs going to the bathroom; I have seen signs that says it is against the law; is that State Law or Town Law offering a fine. Town Manager Welch: both.

Selectman Griffin: are they picking it up; can the Conservation Commission do something. Ms. Dione: as in public outreach.

Selectman Griffin: signs put on the end of the streets; areas that should be protected; should be posted; an alarming amount of people complaining about dogs going the bathroom on the sidewalk again; should not be allowed.

Selectman Barnes: we do have a dog waste ordinance; this would be the same thing as this, how is it going to be enforced.

Chairman Waddell: I agree 100%; every entrance at the beach is a sign, but they do not pay attention.

Selectman Barnes: ideally, how would the ordinance be enforced? Town Manager Welch: would have to be an animal control officer or the police department; has to be a sworn officer; our animal control officer has no jurisdiction on State property at all.

Ms. Dione: where the area is for target needs to be 100' away from any inhabited dwellings, so it is not unlawful.

Ms. Renaud: residents have told us they called the police and told there is nothing they can do.

Ms. Dione: how should we proceed; meet with Mark and make revisions, then come back with you. Chairman Waddell: yes.

VI. Approval of Minutes (55:27)

1. November 6, 2017

Selectman Barnes MOTIONED to APPROVE the Minutes of November 6, 2017 as submitted SECONDED by Selectman Bridle.

VOTE: 5-0-0

VII. Town Manager's Report (55:40)

1. Petitioned zoning warrant articles may be submitted to the Board of Selectmen until December 13, 2017.
2. Petitioned warrant articles other than zoning may be submitted to the Board of Selectmen at any time.
3. Leaf pickup will continue for this week. Please place your leaves in biodegradable paper bags or in containers other than the Town trash and recycling containers.
4. Work on Lafayette Road is basically completed. Paving and cleanup will continue for the week.
5. Those interested in working for Public Works should look at their job openings including the position of General Foreman in Highways and the Transfer Station Chief Operator at the Transfer Station.
6. Town Hall will be closed on Thursday and Friday in celebration of Thanksgiving.

Selectman Barnes: #5 is due to the retirements of Frank Swift and Mark Richardson. Town Manager Welch: yes.

Selectman Barnes: there is more to come from DPW. Town Manager Welch: expecting within the year will have 12-15 retirements in a 40-man department; there are days where we only have one man at the Highway Department, as they are picking up trash.

Selectman Bridle: to clarify the work on Lafayette Road it is completed for the fall, but will resume in the spring.

VIII. Old Business (58:05)

1. Draft Warrant Articles

Selectman Barnes: I have looked at them and have questions as far as the bond; went and toured the Wastewater Treatment Facility; horrendous condition; completely neglected; big money article, need to get out there and figure out some way to offset the cost. I strongly urge anyone to tour it and see for themselves the condition; that is the one big bond that I would like to see moved forward to the Town Warrant.

Selectman Griffin: are we discussing these individually, I think we should.

Chairman Waddell: yes, we can.

Church Street Main was zeroed out because it goes into the warrant article, if we have that.

Bicentennial Sea Wall estimate is \$2,500,000

Town Manager Welch: that is an estimate and out to bid now.

Selectman Barnes: what is the current condition of the bicentennial wall now? Town Manager Welch: stable for now, the board authorized \$185,000 of expense to put gigantic boulders in front of it to keep it stable; no base on the wall it is sitting on sand, if sand washed out, it will collapse; temporary measure to fix; eventually will have to be replaced.

Selectman Bridle: have shored it up, do not know if this year is the right time to do it or not; we need to start working on the Wastewater Treatment Plant, if we could hold off on this for another year.

Selectman Griffin: are we deciding tonight if these go forward. Town Manager Welch: you can.

Selectman Griffin: what do you feel about this, Mr. Welch? Town Manager Welch: we have done the best we can to stabilize it, as long as there is no catastrophic storm, it will probably hold where it is; have to continue to be watchful and keep people off it.

Selectman Griffin: we do not have a good estimate of what it is going to cost. Town Manager Welch: it is out to bid and will not have it until the bid comes back, which will be towards the end of the month.

Selectman Griffin: I think we should wait until we get the bid; would like to see the amount.

Selectman Bean: waiting for report from Plodzik & Sanderson Professional Association Auditors; need to prioritize; Budget Committee cannot get the information; bonding rates; identify 2-3 different courses of actions; include flooding streets.

Chairman Waddell: we do not have enough information; maybe not the year to do it; seems to be stabilized, if wall were to give out we would have a worse flooding problem. Town Manager Welch: in the early 1700s, there was not wall that is why we have Meadow Pond; if that were to happen, again we would lose everything on High Street at that end.

Selectman Griffin: I agree with Phil about talking with the people who did the audit; get some guidance.

Selectman Barnes: could we set up a time and place to do that.

Selectman Griffin: we have to wait until we find out what warrant articles we are going to have and decide which ones we are not going to support; after we are done, we can figure out what we are going to sell.

Chairman Waddell: what are we doing with the Bicentennial Wall?

Selectman Griffin: we need more information.

Town Manager Welch: need to know what the cost is going to be.

Chairman Waddell: just holding off, or taking it off. Town Manager Welch: hold off.

Selectman Barnes: what Selectman Bean is saying, are we going to use those services.

Chairman Waddell: what services.

Selectman Barnes: the auditing firm.

Chairman Waddell: the auditing firm audits.

Selectman Bean: when Scott was in for Plodzick he was asked if they offer additional services and they do, this is millions of dollars of infrastructure; guidance, analysis, bond rates they working closely with Finance and DPW and our Town Manager can assemble a core of projects; they do more than auditing. We can cohesively define infrastructure requisites that address these problems; look at tax impacts. They could do that in a matter of a day and provide input.

Selectman Barnes: we would probably have to sign some kind of agreed upon procedure.

Selectman Bean: could cost a few thousand dollars. Town Manager Welch: we already have a contract, only a matter of adding conditions.

Chairman Waddell: has anybody talked with them. Town Manager Welch: Finance is talking to them, actively.

Chairman Waddell: is this something we can get before we have to move these articles. Town Manager Welch: before you move the bonding articles, you should; legislature passed a law forbidding sinking funds, depreciation; normally with utilities (sewer) when you structure rates you include depreciation in there and the depreciation is put in the bank allowed to earn interest and when repairs need to be made you have the money. We need to find out how we do that and under the law what we can do with depreciation funds; so in the future the town does not have \$40 million dollars' worth of appropriation emergency; Plodzick and Sanderson can do that for us, as they are in the business. We are talking to them right now.

Chairman Waddell: we will have something in place. Town Manager Welch: I believe so.

Selectman Griffin: I would like to hear what they say; what would they recommend now, 3 years from now, 5 years from now; dollar amounts for the bonding.

Chairman Waddell: I agree with the bonding; it is not just a financial decision on the wastewater treatment plant; if we can get that done let's do it. Town Manager Welch: we should be able to get that done.

Chairman Waddell: I toured the wastewater treatment plant; the crew does a phenomenal job; that is the heart of the city; very important that we pay attention to what needs to be done; we should do the bonding properly and get it done.

Selectman Barnes: talked about enterprise fees; in 2009 was a publication "Basic Financial P"; we should call and request it; fees would be based on the consumption of water or the amount that people are served; have Town Manager come up with a generic warrant article to start researching this; put money aside every year.

Chairman Waddell: I agree.

Selectman Griffin: were there only those two bonding articles. Town Manager Welch: there were three Church Street Force Main, which the board said they were not going to consider; the Bicentennial Seawall and the Wastewater Treatment Plant.

Selectman Griffin: I think we should have it be \$13.8 million, which is the estimate; come up with something again next year or the year after.

Chairman Waddell: that is going to be part of that whole bonding issue, hold off and wait; the non-money articles anybody want to put those forward.

Selectman Griffin: why don't we go one by one; some we are going to recommend and some we are not going to do?

Service Veterans Credit Article

Selectman Griffin MOTIONED to MOVE to a Warrant Article the Service Veterans Credit Article SECONDED by Selectman Bridle.

VOTE: 5-0-0

Harbor Dredging and Restoration Article

Selectman Barnes MOTIONED to MOVE to a Warrant Article the Harbor Dredging and Restoration Article SECONDED by Selectman Bridle.

VOTE: 5-0-0

Keno Article

Selectman Bean MOTIONED to MOVE to a Warrant Article the Keno Article SECONDED by Selectman Bridle.

VOTE: 5-0-0

Election of Officers

Required by law

Annual Appropriation Articles

Conservation Land Acquisition Fund

Selectman Bean MOTIONED to Appropriate \$20,000 to a Warrant Article for the Conservation Land Acquisition Fund SECONDED by Selectman Barnes.

VOTE: 5-0-0

Household Hazardous Waste Collection

Selectman Griffin MOTIONED to Appropriate \$10,000 to a Warrant Article for the Household Hazardous Waste Collection Fund SECONDED by Selectman Barnes.

VOTE: 5-0-0

Human Service Agencies

Selectman Bridle: heard from all of them, correct

Town Manager Welch: yes, there is a cut down to \$175,000 as one lowered their cost

Selectman Griffin MOTIONED to Appropriate \$175,000 to a Warrant Article for the Human Service Agencies SECONDED by Selectman Barnes.

VOTE: 5-0-0

Highway Block Grant

\$316,231 rather than \$565,000

Town Manager Welch: the \$316,231 is the exact amount the state is going to give us

Selectman Griffin MOTIONED to Appropriate \$316,231 to a Warrant Article for the Highway Block Grant SECONDED by Selectman Barnes.

VOTE: 5-0-0

Police Forfeiture Special Revenue Fund

Selectman Griffin MOTIONED to Appropriate to a Warrant Article the Police Forfeiture Special Revenue Fund SECONDED by Selectman Barnes.

VOTE: 5-0-0

DPW Vehicle Purchases

Selectman Griffin: how much. Chairman Waddell: \$522,000.

Selectman Bridle: going to start replacing some of the two arm trucks, yard horse. Town Manager Welch: trucks that needs replacing.

Selectman Bean: I am going to hold off until I hear from Plodzik.

Chairman Waddell: ok, we are holding off

Recreation Infrastructure Special Revenue Fund

Selectman Barnes MOTIONED to Appropriate \$131,814 to a Warrant Article for the Recreation Infrastructure Special Revenue Fund SECONDED by Selectman Griffin.

VOTE: 5-0-0

Road Improvement Capital Reserve Fund

Selectman Griffin MOTIONED to Appropriate \$300,000 to a Warrant Article for the Road Improvement Capital Reserve Fund SECONDED by Selectman Bridle.

VOTE: 5-0-0

Sidewalks

Selectman Barnes MOTIONED to Appropriate \$50,000 to a Warrant Article for Sidewalks SECONDED by Selectman Bridle.

VOTE: 5-0-0

Fire Department Pick-up

Selectman Bridle MOTIONED to Appropriate \$51,000 to a Warrant Article for the Fire Department Pick-Up SECONDED by Selectman Barnes.

VOTE: 5-0-0

Five Corners Intersection Improvements

Town Manager Welch: not the year to do it.

Selectman Griffin: I agree, would be wonderful to be able to do it, but this is not the year.

Chairman Waddell: I agree.

Sewer Aeration Basin and Clarifier Rebuilds

Town Manager Welch: that is part of the sewer project.

Maintenance of Historic Structures

Town Manager Welch: the blacksmith shop needs to have a foundation put underneath so we can replace the rotten boards.

Selectman Bean MOTIONED to MOVE \$20,000 to a Warrant Article for the Maintenance of Historic Structures SECONDED by Selectman Barnes.

VOTE: 5-0-0

Tuck Field Offices and Storage

Town Manager Welch: not the year for it.

Replace Lighting at DPW Garage

Town Manager Welch: do that out of the regular budget and have already started on that.

Locke Road Sewer Replacement

Town Manager Welch: you skipped the Moulton Road, they are both sewer replacement projects, I listed them as zero, as we need a sewer plant to send the material too, before we start building new lines; the lines are working, but need to be replaced.

Replace Solid Waste Compactor

Town Manager Welch: looks like funds will be available to replace it out of this year's budget.

Lease Purchase Article

Tower Bucket Ladder Truck

\$1,500,000

Town Manager Welch: it is for the fire department.

Selectman Bridle: at this point, I do not think we need that vehicle; we need manpower; doing double/triple ambulance calls; there are grants out there; would rather see a warrant article to hire four people. Have five people at beach; run second ambulance out of the beach without having to wait for coverage; if you bought the ladder, you do not have the manpower to run it. Could we have the Fire Chief come back with a warrant article and can he look for some grant money out there.

Selectman Bridle MOTIONED to have the Fire Chief do a warrant article and look for grants SECONDED by Selectman Barnes.

VOTE: 5-0-0

Articles Paid by Unreserved Fund Balance

Beach Street Lighting

Town Manager Welch: we started the program and stopped about 10 years ago; did A & B Streets and part of Ashworth Avenue; lighting better than what we can from the private vendors; costs 10% of what we pay the utility; security for the buildings in excess of what the special street lighting is purchased from. Start back on this program to put proper lighting and protection on the other beach streets.

Selectman Bridle MOTIONED to APPROVE \$100,000 to a Warrant Article for the Beach Street Lighting Article paid from the Unreserved Fund Balance SECONDED by Selectman Griffin.

VOTE: 5-0-0

Study Articles and Engineering Articles

Study Town Flooding Issues

Selectman Barnes: can we have this come out of the unassigned fund balance as well. Town Manager Welch: yes.

Selectman Griffin: how do you come up with the amount of \$100,000? Town Manager Welch: it is a guess, no way of knowing is the problem, have to start somewhere.

Chairman Waddell: what we are doing with this. Town Manager Welch: starting a program, it is an engineering report.

Chairman Waddell: if it comes out of the unassigned fund, we can start. Town Manager Welch: it has to be appropriated at town meeting.

Chairman Waddell: it has to still be appropriated on a warrant article. Town Manager Welch: yes.

Selectman Griffin: this, is the amount that we are going to be looking at the beach and Gentian areas. Town Manager Welch: yes, both areas.

Selectman Griffin: it would be wonderful if they could just come up with an idea on how to fix it; I think we are going to look for advice we can recommend; responsibility on all sides; need to come up with a program. Town Manager Welch: shared expense; as things will need to be done on private property and public property.

Chairman Waddell: that and the Kings Highway flooding issues would come out of unassigned fund balance. Town Manager Welch: If that is the way, the Board would like to do it; the Kings Highway drainage is the engineering work to designed the drainage system so we can get to the backside of Meadow Pond.

Selectman Barnes: another \$100,000 will still be below the million. Town Manager Welch: we should be able to do that.

Selectman Barnes MOTIONED to APPROVE a Warrant Article for taking \$100,000 from the Unassigned Fund Balance for the Study of Town Flooding Issues SECONDED by Selectman Bridle.

VOTE: 5-0-0

Chairman Waddell: that would include the Kings Highway Drainage

Town Manager Welch: we have not talked about that yet.

Kings Highway Drainage

Selectman Griffin: how much is that. Chairman Waddell: \$80,000.

Town Manager Welch: for the engineering, would be a composite system, it would go from Winnacunnet Road, up Kings Highway to 12th Street, from 12th Street to High Street can clean

out old sewer main, pump station there, can pump water from High Street down to Kings Highway and get rid of it at the end of the marsh.

Selectman Griffin: hoping what we do is the right way; already spent \$2-\$4 million and it did not work. Town Manager Welch: this is the engineering money to make it work; we need to have a concrete set of plans to make the system work.

Selectman Griffin MOTIONED to APPROVE \$80,000 to a Warrant Article for the Kings Highway Engineering Drainage study SECONDED by Selectman Bridle.

VOTE: 5-0-0

Reconstruction of Funds from Capital Reserve

Reconstruction of portion of Lafayette Road

Chairman Waddell: total to be appropriated from taxes is \$0 – total from capital reserve fund is \$1.5 million. Town Manager Welch: we have approximately \$1.6 million in the fund; will finish Lafayette Road construction; will improve drainage, sidewalks, curbing and repave the entire roadway.

Selectman Griffin MOTIONED to APPROVE \$1,600,000 to a Warrant Article to use funds from the Capital Reserve for the Reconstruction of a portion of Lafayette Road SECONDED by Selectman Bridle.

VOTE: 5-0-0

Selectman Barnes: could I bring up the enterprise fund; would really like if the board could approve if Mr. Welch could prepare a generic warrant article for that.

Selectman Bean: I think it would be based on our conservation last week and what we all agreed was a dire need that Town Counsel, Town Manager and DPW Director prepares a warrant to send to the voters for the appropriate amount of dollars to study to execute that phenomenon which is the value enterprise system pursuer for a follow on election year warrant article.

Selectman Bean MOTIONED for Town Counsel, Town Manager and DWP Director preparing a warrant to study the Value Enterprise System SECONDED by Selectman Griffin.

VOTE: 5-0-0

Selectman Bridle: there are two others we talked about, Town Clerk wanting a full time person putting into warrant article. Town Manager Welch: I have that article.

Selectman Bridle: the other for the part time paralegal.

Selectman Bean: were there numbers on that. Selectman Bridle: \$44,662 for the rest of the year.

Chairman Waddell: next year. Selectman Bridle: \$59,000.

Selectman Bridle MOTIONED to APPROVE a Warrant Article of \$44,662 for rest of the year and \$59,000 for next year for a Full-Time Town Clerk Assistant SECONDED by Selectman Barnes.

VOTE: 5-0-0

Selectman Bridle: part time paralegal for the Town Counsel for 39 weeks is \$21,056 for 52 weeks is \$28,000; actual to raise and appropriate this year is \$21,056.

Selectman Barnes: that includes all health expenses? Selectman Bridle: part-time position so there are not any.

Selectman Bridle MOTIONED to APPROVE a Warrant Article for \$21,056 for a Part-Time Paralegal for Town Counsel SECONDED by Selectman Barnes.

VOTE: 5-0-0

Chairman Waddell: warrant articles. Town Manager Welch: there will be more.

Chairman Waddell: but there are not any right now; we are going to work on that bond. Town Manager Welch: yes.

Selectman Griffin: we just voted to bring these forward; votes of support. Town Manager Welch: yes.

2. Hampton Beach Area Commission Appointment (1:33:45)

Chairman Waddell: someone wants to make a presentation; we have three names, does anybody want to make a nomination.

Selectman Griffin: maybe we should hear his.

Chairman Waddell MOTIONED to Nominate Nancy Stiles SECONDED by Selectman Bridle.

Selectman Barnes: we won't hear from any of the people? Chairman Waddell: I think we know all of them; we have a motion and a second.

Selectman Barnes: I will wait to hear Mr. Bean's report.

Selectman Griffin: I will wait to hear.

Selectman Bean: I was surprised when Mr. Nyhan resigned; in the paper he was quoted that he could not follow the direction of the Board of Selectmen; we have never given any direction to the HBAC; separate body; HBAC is an advisory commission; politicizing the resignation; pursue issue with State of NH. Some offered suggestions to at least two members on this board about the tenure left of executive contract negotiations at the Town of Hampton; some got a heads up, but I did not; when talking about contract negotiations there should be transparency and there was not so. The founding law of the Hampton Beach Master Plan; power and duties; transparency; ultimate failure of the Hampton Beach Master Plan, which did not identify sharing of costs. Conway by-pass secured \$44,000,000 from Federal Funding, we have not secured that success; transparency regarding the HBAC; on State's website, under Parks & Recreation; no 2017 minutes; no 2017 annual report; no 2015 minutes; 2 sets of 2014 minutes; no annual reports; no transparency for the hundreds of thousands of grant money; problematic. Read Mr. Nyhan sent his letter October 6, 2017; read Seacoast On-Line article on 10/3/17; \$800,000 bonds \$16,000,000; sewer bonds; seawall bonds; working class people. Master plan; vision for future as destination family vacation; government should not tell people how their community is going to end up; establishment of year-round facility at beach. Mr. Nichols suggested residents be involved with less interest of business in the Hampton Beach area; residential valuation at the beach vs business is approaching 4-1; everybody has a right to voice their opinion. Talk about 216J powers and duties of commission; 216J:2 nine members of

commission shall be as follows, not one instance in law that requires you to be taxpayer; there are regional planning commission members; state members; DOT designees; state planning designees. There is two members representing the Town of Hampton appointed by the Selectmen; two members representing HBVD appointed by the precinct commissioners; 1 members representing the Hampton Area Chamber of Commerce; nowhere does it say they have to be a town resident. Powers and duties of commission; HBAC has usurped powers and duties that are not enumerated in the law; 216J: three implementation of strategies of the Hampton Beach Master Plan, which was written in 2001; world has changed since then. The master plan has serious problems in the document; law is flawed; have been no changes to the document in 17 years; problematic. Duties and powers to assist in promotion, periodic review and recommendation of updates; assist state and town to acquire lands and rights to land to ensure a consistent management plan; has there been any securing of lands?

Town Manager Welch: no

Selectman Bean: another moot duty; assist town to develop building and zoning language and design and review guidelines and procedures for the area; we have a Planning Board, a Board of Selectmen, Citizens we do not need help from Concord on this. I think it is a poorly written law; we do not need an advisory commission; do not need the state designees coming down here and tell us what to do. Provide advice and counseling to the state and town on proposed land use developments and capital projects for consistency with the plan; have there been any capital projects put forward by the HBAC?

Town Manager Welch: not that I am aware of, not while I have been here.

Selectman Bean: consult with HB area business to promote the plan; marketing phrase; promote plan from 2001; HB master plan is functionally obsolete. It is in the article for the plan summary, recommendations layout a step-by-step process for actions implementing proposed actions over a 50-year period. It should appeal to everyone as a clean and comfortable place, but of course; buildings should be attractive and well maintained; this is American we have property rights, not for the HB master plan to dictate to anybody what to do with your property. Improving the image of HB; I disavow this; HB has retained an image that does not contribute favorably to its quality of life either as a destination or as a place to live or work; earth shattering in its negativity to the town; negativity; insulting. The poor image creates an accumulative loss of value that is translated directly into relatively low property values and tax revenues, negative and destructive. The document says it will attract higher quality businesses and visitors; find it deeply offensive; whose business are they talking about; HABC allows to remain in print. It says the visual quality of HB townscape and architectural character should be improved; goes on and on; insults. It says you need direction in how to improve their homes and business; talks about zoning, etc. we the town of Hampton will take care of that. Some buildings will have to be rehabilitated or demolished to support this strategy; economic standpoint HB has the least desirable amount of tourism; promotes negatively to the traffic. I am not recommending we put anybody on this commission. Economic strategies; keep tabs on existing businesses; marketing programs and special events; identify new housing markets; no idea what they are talking about. They stated parking is not a problem, want to put in diesel bus stop; put in hundreds of cars in pristine environments here in Hampton; defeated by this board. Summary of recommendations; 10-50 plan phase that we are in; we are in phase three, require permitting for all projects; town does not need help on that; we have fully competent boards on that. Ensure the beach is clean; in May the beach was

not clean; close off parts of Ocean Boulevard; reconstruct Ashworth Avenue; support parking needs with structure at appropriate location. We have a Planning Board, Zoning Board, and Conservation Commission we have regulations and do not need an advisory commission monitoring our development. Ensure continuation of adequate police protection; we are paying for this; we do not need the HBAC telling us how to run our town; ensure adequate fire and medical protection, they are getting all those benefits and we are paying for it. An applicant met with this advisory commission with their attorney; there is no requirement that anybody in town that owns a business has to meet with the HBAC; not required. I have a problem that people from Concord are reviewing what are local matters in this town. Many paragraphs are deeply insulting and should be stricken immediately, if not the whole agreement; failure because it does not address the obvious need to balance the unreimbursed expenses that would allow the Town of Hampton to bond \$16 million for services we provide for the state. We have \$50,000,000 of infrastructure needs that is 30% of it; this document should be scrapped and never addresses that and think it is seriously problematic. I would never appoint anybody to a commission that has that kind of wording and those kinds of powers that have been usurped and politicized.

Chairman Waddell: the Hampton Beach Master Plan was written by James Barrington, who was Hampton Town Manager; Rusty Bridle, NH State Rep.; Diane Flint Hardy, Park Planner; Sheila Francouer, NH State Rep; Tom Gillick, Planning Board Chair; Brian Gotts, Hampton Water Works; John Grandmaison, Ashworth by the Sea owner; Beverly Hollingsworth, State Sen.; Diane Lamontagne; Tom Madsen, DRED; McClean, DRED; Bruce Nickerson, Zoning Board; Doc Noel, HB Chamber; Robert Preston; Richard Roy; Peter Tilton; Skip Windemiller; James Workman. The Hampton Beach Master Plan was not written by Concord, it was written by its citizens

Selectman Bean: that is incorrect.

Chairman Waddell: when you say there has been no transparency; there have been a number of public meetings on the transportation grant and what is going to be done down at the beach with the DOT; there is a website that has all the information on it. Our own Planning Board has just developed a whole board on architectural character of the town and what they believe it should be. I agree 100% that we do not get the proper reimbursement from the State, but that is not the HBAC job to get that. Fred went to Washington with all four members of the delegation to work on getting capital for Ocean Boulevard. The intermodal was more of the Rockingham Planning Commission; I agree 100% the diesel would have been terrible, but having a shuttle to the beach would have been a positive. I think we should appoint someone; Nancy Stiles did a lot of work on the dredging of the harbor, a lot of work on attempting to get us more of the rooms and meals taxes, to get us more reimbursing. I just think some of the things you said were wrong; the state has put money into Hampton Beach to help improve their side.

Selectman Griffin: he (Selectman Bean) is right it was the Cecil Group that did the master plan and were paid a lot of money to do it; the ones you suggested held all the meetings, open process; I got on the board for master plan for uptown, were many meetings, the things talked about were similar to Experience Hampton. The master plan at the beach does call for it to look like a Victorian seaside village does not look anything like that. We did try to talk people into being a seaside village, but this is an advisory committee and they did not have to listen and they did not; nothing we could do and we moved on from that. The HB master plan does

call for a family vacation community and for that to be promoted; there are 4 times more people than businesses at the beach; these are the issues that are worked on. What makes a board is everybody has something different to bring to it; Bill Watson, DOT and Mike Houseman, DRED do a wonderful job; these positions do not have to be a taxpayer. The Planning Board has a representative on the board, so they are looking out for the people in Hampton; the Village District represents both the business and all people who live in the Hampton Village District. When you are there the better part of the time is devoted to business, not to the residents, and I would like that to change; going to be more plans on the website. When the delegation went to Washington, they went down there to get the money for the plan that is being done now. Mr. Rose talked about the master plan study, which as far as he is concerned is the plan for Ocean Boulevard; I would like to know who is responsible for the master plan happening for the people that live there. How much responsibility does our Planning Board have; I am all for whatever is going to be done; I hope there can be more done. The plan is to put the road in from the Hampton Bridge to go as far as the beginning of Boars Head; factored in to go to Winnacunnet Road and High Street. I asked about the sewage work that has to factor in to some of the flooding; I asked how many sewage pipes are down there, no one knew. Does not appear there is even going to be an environmental study; the Planning Board is not to happy; the state has put in \$8,000,000 and they are only going to do the first couple of phases, after that we are relying on the kindness of the Federal Government; will fall to the taxpayers if the money does not come. Basically things stopped due to money issues; I have waited 54 years for something to happen; keeps getting worse; these are the types of issues the HBAC could work on; only an advisory position. Two separate issues with our problems and lack of funding we get from the state, these issues do not belong at the HBAC at all, and so no one including John Nyhan should have been commenting on them, in my opinion. We need to make sure that the people that live, work, and businesses are all considered by the HBAC; not just all about business. We need a representative that will do something with these interests; work on the master plan and in the future does meet the needs of business people and the four times more residents that live there. I tonight will be voting for Nancy Stiles, as I do feel she has managed to weigh all of these things; very active; answers to people in a quick way; need to consider there need to be more representatives for the people who live there. I was appointed to represent the Town of Hampton, not the Board of Selectman; businessperson; lived there for 54 years; have been more than happy to bring everything back to the board.

Selectman Bridle: the Cecil group did write it at the instruction of the advisory group; about 80% were Hampton or Hampton Beach people; I remember back when they were talking about painting buildings, as the boarded up fronts had graffiti on them. The beach has come a long way for a long time. The state did bathrooms, open year round; working on the bridge; working on the road; disagree with them on a lot of things, but important need for an advisory committee like the HBAC; Nancy has been around for a long time and I think she would be a good person for that.

Selectman Barnes: the plan is 18 years old; what is updated on it; not going to appoint anyone to this commission as the law of the commission needs to be reviewed by the BOS and the HBAC. Looking at the commission minutes of October 26, 2017, Mr. Nyhan has retired and he was reading his top priorities for the next 8 months; continuation and the overseeing of the transportation grant; could you fill me in on what that means

Selectman Bridle: the transportation grant.

Selectman Griffin: I agree with you; not a lot happens at those meetings; he was trying to help the next person, he was showing the progress on the things we were talking about.

Selectman Barnes: I have a problem with not being updated more regularly; I have a problem appointing a position not needing to be appointed.

Selectman Griffin: many people brought information the commission gathered, brought it forward from Facebook; input taken with people that do not live around here.

Selectman Barnes: went to a Planning Board meeting and they were shocked on some of the suggestions.

Selectman Griffin: there is a record; VHB.

Selectman Barnes: improve more hotel/motel rooms.

Selectman Griffin: to find better sources of loans; more incentives for people to build hotel rooms; hotels are going to be sold; people have never been spoken with.

Selectman Barnes: I do not see why we need to appoint anyone to this commission; I can get the information from Selectman Griffin; identify all drainage issues throughout the beach.

Selectman Griffin: I was made in charge of that; I would like to do something positive, but I do not have a clue; I think Nancy Stiles might be able to do that, she has more qualifications than I do.

Selectman Barnes: get involved in discussion pros and cons for Hampton-Seabrook Bridge; I would like to get involved in those discussions; I do not see the point of it; when I read the law word for word, I do not see that they are following it.

Selectman Griffin: state commission; we can do everything here, they are supposed to advise us and we do not have to listen to them.

Selectman Barnes: all these state people are going there making the presentations to them, not coming here making them to us; I do not have time to go to another meeting

Selectman Griffin: I hope that Nancy Stiles can bring this to the next level.

Selectman Barnes: I do not see anyone being appointed will help us; can put a halt to just appointing people for the heck of it.

Selectman Waddell MOTIONED to APPROVE the Appointment of Nancy Stiles to the Hampton Beach Area Commission SECONDED by Selectman Bridle.

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

IX. New Business

1. Investigating Sewer Enterprise Fees for replacement of the Sewer Plant and related facilities. Discussed on page 13.
2. Repeal of Selectmen's Ordinance regarding "Begging" Ch. 769-11 & 769-12 (2:42:45)

Town Manager Welch: Supreme Courts have declared laws dealing with begging to be unconstitutional, a violation of First Amendment Rights of the beggars, so by having this ordinance on the books they could sue us even if we do not do anything to a beggar; Town Counsel has recommended that we remove it from the books.

Selectman Bean: there was a brief mentioned by the Town Attorney and would be great if we all read that.

Selectman Bridle MOTIONED to APPROVE the Repeal of the Selectmen's Ordinance regarding "Begging" Ch. 769-11 & 769-12 SECONDED by Selectman Griffin.

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

X. Closing Comments

Selectman Bean: thank you for attending all the meetings you do, your leadership and chairmanship, it is not an easy job. In the North Hampton meeting we had this week with the EPA and State Regulatory officials; Mark Gearreald, Selectman Barnes and Dr. Ballestero did a heck of a job in presenting; 3½ hour meeting; long meeting and sometimes friction; Mark Gearreald did one heck of a job representing the town and got across some great points.

Selectman Griffin: what does it mean when a fire hydrant is yellow?

Selectman Bridle: all municipal owned fire hydrants are yellow; red ones are privately owned.

Selectman Griffin: the Town Planner attends all the events; up to speed on all of it, acts interested, is a big help and is aware of everything that goes on.

XI. Adjournment

At 9:40 PM, the meeting adjourned on MOTION by Selectman Bridle, SECONDED by Selectman Bean, which passed unanimously.

VOTE: 5-0-0

James Waddell, Chairman