

February 24, 2020

7:00 PM

PRESENT: Rick Griffin, Chairman
Jim Waddell, Vice-chairman
Rusty Bridle, Selectman
Regina Barnes, Selectman
Mary-Louise Woolsey, Selectman
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

SALUTE TO THE FLAG

I. RSA 41:14-a Public Hearing

1. Second Hearing 4^{2nd} Street Tax Map 223, Lot 53 - Supplemental Request for Relief from Deed Restriction #4 “The only structures permitted to be erected or placed upon said lot shall be one single-family dwelling... with no more than a two-car garage. The Grantee will not erect any buildings upon the premises within seven (7) feet of any boundary line...” The petitioner previously obtained relief to tear down two existing dwellings at 4 Second Street and construct a new single-family home upon the property containing five (5) bedrooms, but this supplemental request for additional relief is needed based on a subsequent plan revision showing a three-car garage.

The public hearing was closed at 7:03pm.

2. Second Hearing ~~974~~ 741 Ocean Blvd Tax Map 223, Lot 53/1 - Relief from Deed Restriction #4 “The only structures permitted to be erected or placed upon said lot shall be one single-family dwelling, containing no more than four bedrooms, with no more than a two-car garage... [n]or shall the premises be subdivided.” This request relates to a previously approved two-lot subdivision that has already resulted in the construction of a new dwelling structure on Lot 53-1, and is anticipated to result in the construction of a new dwelling structure on Lot 53 (as noted above).

Atty. Gearreald had a clarification that the address is actually 741 Ocean Blvd.

Atty. Greg Ramsey spoke for the owner noting this is not for construction on their property, but for the neighboring property.

II. Public Comment

Dep. Town Manager James Sullivan introduced and welcomed the town’s new Building Inspector, Jim Marchese, who started with the town last week.

Chairman Griffin asked where he worked before and the answer was the town of Greenland, and Mr. Marchese noted the population and pace difference between the two towns. He was asked how long in Greenland and if he worked with Karen Anderson and the answer was four years, and yes he did.

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Sel. Woolsey noted an introduction from the Zoning Board and said welcome.

Sel. Barnes said welcome and noted Hampton's uniqueness and fast pace.

Sel. Waddell said welcome and good luck.

Sel. Bridle said welcome and he has heard good things.

Mr. Marchese stated his goal is to be fair and reasonable and to treat everyone with respect.

Chairman Griffin stated he hoped he did as well as his predecessor and welcome and thank you.

III. Announcements and Community Calendar

Sel. Woolsey announced the election is coming up in two weeks.

Sel. Barnes announced the warrant is on the town website and if you have Facebook, the In The Know Hampton page does a great job.

Sel. Waddell stated ditto, and reiterated the good job of In the Know Hampton.

Chairman Griffin stated tonight is his last meeting, noting his five terms, and his upcoming birthday, and that he will be at the polls.

Sel. Woolsey noted the town report should be in this week and at that moment, copies were handed out to the board.

Chairman Griffin commented he enjoyed his time on the board and will be happy to help in the future.

IV. Approval of Minutes

1. February 10, 2020 Public and Non-public sessions

Selectman Waddell MOTIONED to APPROVE the Public and Non-public sessions minutes of February 10, 2020, SECONDED by Selectman Woolsey.

VOTE: 5-0-1

V. Consent Agenda

1. 2020 Veteran's Credits New: Boles, David R.; Letares, Stephen Christopher
2. 2020 Veteran's Credits Renewals: Alhowik, Family Revocable Trust; Aykroyd, Revocable Living Trust; Beaudry, Paul & Mary; Blain, Family Revocable Trust; Facey, Edward A. Revocable Trust; Flesher, Sandra J. Revocable Trust; Hardy, Robert G. & Mary Lou; Herson, Patrick; Hubbard, Kenneth; Hutchins, Charles & Joan Revocable Trust; Lacroix, Dennis; Meyer, Peter; Noonan, Irene Revocable Trust; Quagliaroli, Francis & Yvonne; Remick, Paul & Joann; Sears, Gordon; Slosek, Leonard Revocable Trust; Wentworth, Richard & Cheryl; Bailey, Timothy & Julie; Bagley, Harvey A. & Karen E.; Bashline, Gary & Kathleen; Bradshaw, Charles &

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- Mary Ann; Forbes, Colon K. Jr., & Noreen; Hudak, Gregory & Patricia; Hunter, Douglass Family Trust; Hurley, John F. Jr.; Jordanhazy, Carol Ann; Keriazes, Catherine Revocable Trust; Mcnamara, Patricia 1998 Trust; O'Brien, William; O'Shaughnessey, Ann M. Revocable Trust; Peters, Robert T. Living Trust; Pilat-Roth, Margaret J. Revocable Trust; Simonds, George Revocable Trust; Sklarski, Ronald & Jeanne; Sullivan, Peter & Sheila; Toomey, Dennis & Phyllis; Watterson, Susan Revocable Trust
3. Appointment of Health and Deputy Health Officers: Marchese Health Officer, McDonald, Sawyer, Ayotte Deputy Health Officers
 4. Cemetery Deed: Lorna J. & Daniel A. Plouffe (re-issue)
 5. Entertainment License and posted permit: Logan's Run
 6. One-Day Entertainment License: 5th Annual Run for the Ocean 5k 06/06/20
 7. Parade & Public Gathering Licenses: 5th Annual Run for the Ocean 5k 06/06/20; 34th Annual Walk by the Sea & Picnic 06/07/20; Reebok Ragnar Reach the Beach Relay 09/19/20; Smuttynose Rock Fest Half Marathon & 5k 10/04/2020
 8. Use of Town Property Permit (Parking lots): Hampton Half Marathon 03/08/20; Reebok Ragnar Reach the Beach Relay 09/19/20; Smuttynose Rock Fest Half Marathon & 5k 10/04/20

Sel. Woolsey asked about #3, and Chairman Griffin noted that used to be Kevin.

Selectman Woolsey MOTIONED to APPROVE the Consent Agenda, SECONDED by Selectman Waddell.

VOTE: 5-0-0

Chairman Griffin noted taking some old business out of order.

Vote 2 17th Street Tax Map 168, Lot 78/1 - Release portion of Deed Restriction #4

There was a time for questions.

Sel. Barnes read the motion.

On the request of the current owners of 2 Seventeenth Street, Motion to modify deed restriction as to 2 Seventeenth Street property at the request of the current owners, I hereby MOVE to modify the third and fourth sentences in Deed Restriction #4 in the Quitclaim Deed from the Town to Marguerite S. Hromada recorded on November 27, 1984 and recorded in the Rockingham county Registry of Deeds at Book 2522, Page 143, which formerly read as follows:

The Grantee will not erect any buildings upon the premises within seven (7) feet of any boundary line, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot.

So that same will now read as follows:

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The Grantee will not erect any buildings upon the premises within the setbacks prescribed in the Hampton Zoning Ordinance except for a new 6' x 10' x 10' high free standing storage/garden shed building that is 4.1' from the side and rear property lines if said shed is also allowed by the Hampton Zoning Board of Adjustment by variance once said variance becomes final, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot, except for the aforesaid new 6' x 10' x 10' high free standing storage/garden shed building.

The other sentences of Deed Restriction #4 (the first and second sentences) remain unchanged.

The Town Attorney is hereby directed to generate a document suitable for recording for the Board's signatures that memorializes these modifications.

Selectman Waddell MOTIONED to APPROVE Release portion of Deed Restriction #4 , SECONDED by Selectman Woolsey.

VOTE: 5-0-0

The attorney asked about zoning relief for the shed and the answer was that they need to go for relief.

VI. Appointments

1. Chris Jacobs, DPW Director & Jen Hale, Deputy DPW Director
 - a. Departmental update

There was general discussion of the copies of the town report. Dir. Jacobs presented to the board a refund check from Unitil for the street lighting project, in the amount of \$121,350.00. He noted it was 50% of the value of the existing lights as per their agreement.

Chairman Griffin noted a donation from a private citizen for \$800.00 for the school resource officer, and they wished to remain anonymous.

Mr. Welch noted the board needs to vote to accept.

Selectman Waddell MOTIONED to APPROVE the Acceptance of the Donation of \$800.00, SECONDED by Selectman Barnes.

VOTE: 5-0-0

Dir. Jacobs presented the quarterly report. He noted no expected retirements, and Bill Lowney's promotion, also noting an employment offer out, and two vacancies, with summer hires right around the corner. He discussed the one bid that is out for Lafayette Road, with the WWTP bid being advertised on March 6th.

Dep. Dir. Hale discussed the ongoing projects, she noted the street lighting project installations are completed, with kudos to Jim Hafey who coordinated. She commented on the Lafayette Rd project being out to bid with a start time of April and would start with the

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drainage component, that being night work. She discussed the Blacksmith renovation project which is in the foundation phase of the project with work to be done this summer. She noted the Park Ave. culvert project is complete, it will be reseeded, cleaned and paved after the town vote. She discussed the WWTP facilities upgrade with it going to bid and those being opened April 7th. She noted the multiphase issue of the project and the first thing being moving Mike and Mike to the sewer and drain office space and noted pricing trailer space for sewer and drain. She discussed the Hampton Harbor studies, noting discussions with everyone today, and National Fish and Wildlife and the grant process, noting important data from Woods Hole, Massachusetts.

She discussed the Elaine St. improvements which will restart in April, which is a sewer replacement project, noting the catch basin replacement and then paving. She commented that Rt. 101 will be getting paved by the state.

Dir. Jacobs discussed daily operations, and Household Hazardous waste days being selected as June 6th and August 29th, noting two worked really well last year, and that there was a grant reimbursement. He discussed service calls and requests, comparing totals from last year at this time, and the use of the asset management software to be able to track it all, noting those are all on top of what is done day to day. He noted hoping to use the software more if article 13 passes for tracking pump stations.

He discussed the annual landfill closure reports, with groundwater, and reports have been submitted to the state.

He discussed Highway operations, with Christmas tree pick up, set up and take down of deliberative session, and road repairs. He noted paving projects from last year will be completed. He discussed the need for repairs to infrastructure. He discussed new vehicles, and the fleet registrations being completed with the new state structure of permanent registrations. He noted the arrival of the new Mach truck and the 2 Chevy pickups, and noted the 1 ton arriving in March. He discussed the transfer station loader being benched and the hope of replacement after the March vote.

He discussed the sewer and drain division, listing totals for all of the different works completed in 2019. He noted drain clearing in January, along with other works completed.

He discussed the WWTP, with the flow for 2019 being 939 million gallons, being 92% of 2018, noting less rain and less infiltration. He noted the tonnage of sludge disposal, 3 tons more than the prior year. He discussed septage received which was the same amount as last year. He discussed an improvement at the plant of the BOD, biological oxygen demand, the strength of the waste received. He noted the improvement being partially due to Finest Kind, and it is helpful in the timeline for Phase 2 of the plant upgrade. He discussed the permit for the WWTP and a phone call from the EPA, they will be here in March for inspections, and there will be no new regulatory issues, and they will be deciding on the cost of the approval. Dep. Dir. Hale clarified there is a permit in place, this is for a new one. She also discussed a new permit with Finest Kind for 6 months, with positive results. She discussed the transfer station, and the tracking of everything coming in, noting monthly reports and spreadsheets. She discussed stump grinding and brush, leaf turning, and the new program with Mr. Fox for food composting. She stated all the information will be on social media, and discussed the benefits. Dir. Jacobs clarified that the composting does not happen on site, Mr. Fox takes it away.

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Chairman Griffin asked for clarification on the amount, and the answer was a resident could bring a 5 gallon bucket. Sel. Waddell asked if people will be told what they could put in it and the answer was, there will be a poster will be circulated with what can go in, and those items were described.

Dep. Dir. Hale discussed refuge being down 66 tons from the previous year, and recycling was down 49 tons, noting the cost going up. She discussed the new waste collection trailer will be here in May. She discussed the DES Oil Replacement grant that has come in and they will now purchase the filter crusher. She discussed the solid waste contracts, waiting for the vote in March, before negotiating with vendors.

Chairman Griffin noted he was had been at an engineers office where there was a discussion on all that is needed to be done and people needing to do them, and someone commented that Hampton does not have to worry, as we have Jen Hale, noting it was a very nice thing to hear.

Sel. Woolsey asked about the Finest Kind digesters and have they put in 3 and 4. Dir. Jacobs stated they do not need 3 and 4 yet. She commented on the memo to sell unit 63, and read the memo. Dir. Jacobs noted that needs board approval.

Selectman Woolsey MOTIONED to APPROVE the Sale of Unit 63, SECONDED by Selectman Bridle.

VOTE: 5-0-0

Sel. Woolsey asked about the blacksmith shop and would they send a memo to her for the Heritage Commission when things are lined up. She asked for clarification on Mill Road paving, being in April with the final coat next year, and Dep. Dir. Hale discussed the agreement with Aquarion for the work. She noted attending one of Ms. Hale's presentations on the Route 1 project and was very impressed. She asked for a new vehicle printout, and thanked them.

Sel. Barnes commented on being at the Chamber's event at the Old Salt and also hearing Ms. Hale's presentation. She asked about the work being done in the summer. Dep. Dir. Hale discussed input she had gotten, noting Chief Sawyer's opinion to stop before July 4th, rather than Memorial Day, noting that is what is in the contract. She discussed the bids received and their summer concerns, also discussing having to work with the bidders schedules and summer logistics. Sel. Barnes asked about looking for summer help and if anyone is interested where they should they go, and the answer was to contact Mr. Sullivan at the town office. She asked about Elaine St. improvements, and Jamco being awarded the bid, will they be starting in April, and the answer was possibly earlier if this weather continues, and it will be 8 to 10 weeks, to replace the sewer. It was discussed this has been ongoing for a while but this was a good time to get it done. She noted good news on the WWTP, and asked for clarification on Phase 1. Dir. Jacobs discussed that process. She commented that they do a great job with all they do and that the Mr. Fox thing is great. She noted that on the solid

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waste contracts, the additional costs are warrant article 19. Dir. Jacobs discussed that contract process.

Sel. Waddell thanked the directors for all the work they and their department do.

Sel. Bridle asked if they have talked to Winnacunnet or the SST program for vacancies, and the answer was they have not reached out for summer help yet. He asked about a private entity being able to purchase LED lighting, and the answer was they can purchase through Affinity, with Unutil, and it will be further looked into. There was further general discussion on the lighting, and the benefits of the LED. He asked about Sewer and Drain moving back after going into the trailer, and the answer was there is an alternative being sought out. He asked how often Mr. Fox will be picking up, and the answer was every Friday.

Dir. Jacobs addressed the cart SOP. He noted the draft agreement they should all have. He explained the process of coming to what is in the draft, noting ordinances already passed. Dep. Dir. Hale noted this is what they are recommending. Dir. Jacobs read A – G of the agreement, and highlighted possible issues with some of them, with #G addressing the number of carts. He noted that this does not cover every single case situation and that he would recommend entertaining solid waste service agreements. He discussed insurance needs for the agreements and discussed a listing of sites that should be looked at for agreements. Dep. Dir. Hale further discussed item #G. She discussed the current condo policy, with a question of apartments and business condos, noting trying to expand on the policy with more than five “things” not receiving service. She reiterated trying to follow what the board had done and the direction from January. She further discussed the 77 properties previously discussed as having more than 10 carts and the list of sites discussed earlier. She went through the list, (the board all had copies) discussing each situation. She discussed the first being 725 Lafayette Road, a business condominium set up, highlighting there are more than 5 businesses. She discussed 507 Ocean Blvd, noting there are 8 units and they have 12 carts. Chairman Griffin noted that it should be just recycling and it was stated they have trash as well.

There was general discussion on how to proceed. Dir. Jacobs reiterated the recommended agreement, with a discussion on possible payment. Chairman Griffin suggested going over them one by one.

Sel. Woolsey commented that she would like the town to go to residential pick up, with Chairman Griffin reiterating they should go over the list. Dep. Dir. Hale read the circumstances of the rest of the list. She noted that the policy would have all of those complications.

Sel. Woolsey reiterated her comment about residential pick up. She highlighted that this is too much for DPW to have to handle. She noted her objection to DPW continuing to pick up as they do now and a date should be set to stop and to do residential only.

Sel. Barnes clarified that the list is a sample, and she referenced the policy and the service agreements. She asked to direct a question to Ryan, and asked if the policy would help them. He answered it would offer some consistency. She asked how it would effect the staff if the service agreements were in place. He answered they would just continue to do what they are doing. There was discussion on payment.

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Chairman Griffin stated his not understanding why this is still being worked on, and mentioned the rights are all the same for Hampton residents. He noted the policy and the exceptions that make the policy not work, stating that it makes no sense.

Sel. Waddell thanked the directors for the report and noted they showed what a complex issue it is. He asked for clarification about looking at the policy and the town attorney and Dir. Jacobs noted yes, for the agreement. He stated not wanting to vote tonight and the directors commented they were not looking for a vote tonight. Dir. Jacobs reiterated looking for consistency and to eliminate confusion. He expounded on the complexity of it all.

Sel. Bridle noted the directors brought in some good points. He highlighted the uniqueness of Hampton, and some questions from the discussion of the policy. He noted he thinks they need to hear more about the service agreements. He noted his concern of the streets getting dirty.

Chairman Griffin discussed his experience of a bank visit, noting as one business should they be picked up, and the answer was they are now. He noted the bank had a Troiano waste container, and its size. He and Sel. Bridle discussed some businesses and restaurants that have their own. Chairman Griffin discussed the business aspect of charging people.

Sel. Woolsey reiterated that private haulers are in business to do this, and the burden on DPW.

Sel. Barnes discussed the agreement and possibly ending the agreement after item #G, being the limits, 10 carts. Chairman Griffin offered her to make a motion to do so. There was discussion on the exceptions, and the town letting them have pickup and Sel. Barnes noting they need to be informed of what is being done and when. Chairman Griffin asked what she is making her judgements on, there was discussion on fairness.

Sel. Barnes stated she is not making a motion. She commented she may be ok with ending at letter G, getting rid of the agreement, and giving people a head's up. There was general discussion on time frame and deadlines.

Chairman Griffin noted his frustration and feeling that it is wrong. There was continued discussion on the agreement.

Dir. Jacobs stated they will stick with the policies that have been passed. He discussed McCarron Drive and Dockham Builders and their request to have their carts collected. He noted the need for board approval due to it being private property. Sel. Woolsey asked why they had carts and Dir. Jacobs noted that once the building permit is issued, that carts are allowed.

Sel. Barnes asked what is the policy now. Dir. Jacobs discussed the construction level and safety of trucks going in to pick up. She asked what is the policy for the trash limit, and the answer was for residential, one and one. She asked what about everything else and Dir. Jacobs noted they will continue to pick up the limit of ten carts per location. She asked what does location mean. Sel. Waddell noted that is the question they have. Dir. Jacobs gave the example of Cinnamon Rainbow. There was general discussion on that example. Sel. Woolsey discussed her understanding of the 10 cart limit being a transition.

Sel. Bridle noted he thought the discussion was about McCarron Drive, noting they are looking for the waiver to pick up there.

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Selectman Bridle MOTIONED to APPROVE the Pickup of Carts on McCarron Drive, SECONDED by Selectman Waddell.

Sel. Woolsey noted her need for clarification that the road is in good enough shape for DPW to travel on.

VOTE: 5-0-0

Sel. Bridle asked if a building permit is needed when a trailer is changed out at a park, and the answer was yes. He commented that a park is one unit, but there are over a hundred lots, with trailers and building permits. Dir. Jacobs noted they are picking up only two carts for each residence, but they are on private property. There was discussion on that being the reason for wanting the service agreement. Dep. Dir. Hale noted the service agreement is not intended for people to go over the cart limit, but to cover the town for liability. She referenced the last time a notice went out, and further discussed the intent of the agreement. There was continued discussion on business trash pick up versus private haulers.

2. Kristi Pulliam, Finance
 - a. Monthly Financials

The budget is still populated with the 2019 budget. Since we are working off of last years budget this month the review will be quick. The month's total income was \$544,866. Of that total, motor vehicles came in at \$369,629; Interest on Taxes at \$6,803; Building Permits at \$11,017; Highway Subsidy at \$64,702; State Water Pollution at \$20,279; Departmental at \$55,562; and Interest on Deposits at \$11,906. Expense Summary: On the expense side you will find that we are 9.51 % spent or over budget by \$283,095 or 1.17%. Ms. Pulliam noted there are many semi and/or annual payments made at the beginning of the year. Recreation has a balance of \$235,768. Cable Committee has a balance of \$251,010. Private Detail has a balance of \$231,285. EMS has a balance of \$253,477. Wastewater System Development Charge, fees collected in 2020 total \$4,740.

Sel. Woolsey stated nice job.

Sel. Barnes stated excellent work as usual. She commented on the use of the unassigned fund balance, noting the warrant articles that are funded using it. She stated in 2017 we used \$600,000.00 to off set the tax rate, and \$200,000.00 in unassigned fund balance, in 2018 we used \$420,000.00 in unassigned fund balance voted for warrant articles, in 2019 we had a little over \$581,000.00, most being for infrastructure, IT, and DPW. In 2020, we have appropriations of slightly over \$1,3 million to come from the unassigned fund balance. She discussed the town's portion of the tax rate decreasing consistently, seeing no reason to use the unassigned fund balance to offset the tax rate. She noted percentages of the town portion of the tax rate going down, and an example of what using a million dollars of the unassigned fund balance would mean to a tax bill, noting for a value of \$500,000.00, it would be \$2.82 less per week. She argued that using the unassigned fund balance to get necessary things done, rather than raising more taxpayer money, is money well spent. She noted the amount of money left at the end of 2019 is only 1.69 percent of the entire budget, it not being overstated. She noted in 2020, both budgets have wages at 44% of the budget, insurance 12%, retirement a little less than 9%, and benefits at 2% for a total of 67% of the budget,

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leaving 33% for town operations. She discussed debt obligations, and better times to possibly use unassigned fund balance to offset the tax rate, noting she would prefer it go to road improvements. She thanked Ms. Pulliam for her assistance and wanted the public to be aware of the points she discussed.

Sel. Waddell stated good report and he agreed with Sel. Barnes regarding the unassigned fund balance and they are making good use of it.

Sel. Bridle stated he also agreed with Sel. Barnes, and noted the levelness of the town tax rate and the things that are getting done in town.

Chairman Griffin discussed the levelness of the town tax rate and that he also agreed with Sel. Barnes, but noted that some people voting don't agree.

Sel. Woolsey discussed how things were when Mr. Welch was hired, and the good job that he has done.

3. Ed Tinker, Contract Chief Assessor
 - a. Land Use Change Tax Partial Release 105 Towle Farm Road, LLC

Mr. Tinker discussed the changes to the property and some land that has to come out of current use, also discussing the changes to the acreage, and the tax of \$58,830.00.

Sel. Waddell asked Mr. Welch his thoughts and Mr. Welch noted discussing the change and reasoning with the owners, and believes it is now correct.

Selectman Waddell MOTIONED to APPROVE the Land Use Change Tax Partial Release 105 Towle Farm Road, LLC, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

4. Bob Dockham, Dockham Builders
 - a. Request for Solid Waste pick-up on McCarron Drive

This item was voted on earlier in the meeting.

VII. Town Manager's Report

1. The last date for filing abatements from property tax bills is March 1, 2020.
2. The last date for the filing for exemptions from Town and Precinct property taxes is April 15, 2020. Those interested in such filings should contact the Assessing Department for the proper forms.
3. The 2019 Annual Town Report is available on the Town's Website, (copies just arrived).

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4. Please remember that the Town election is Tuesday, March 10, 2020 at the Winnacunnet High School, Dining Hall from 7 Aa.m.to 8 a.m. Absentee Ballots are available from the Town Clerk's Office.
5. The Fire Dept. has announced dispatcher Cassandra Leavitt has completed a leadership certificate program and is one of only a few in the US that has done so.
6. The Executive Council, voted on Feb. 19th, to grant payments to the Town of Hampton a total of \$4,727.94 for the used oil collection, and authorized Fire Standards and EMS to enter into a grant agreement with the town for \$9,817.11 for Project First to reduce overdose fatalities.
7. Everyone should be aware that within the next week or so, they should be receiving paperwork to complete the 2020 Census.

Sel. Barnes noted that on page 21 of the town report there is the future challenges for DPW and it is 5 or 6 pages long, showing what is needed in the town, and encouraged people to take a look.

Sel. Bridle noted that the dispatcher Mr. Welch mentioned is one of only two who have been recognized in NH. Congratulations were offered to her from all.

VIII. Old Business

1. Vote 2 17th Street Tax Map 168, Lot 78/1 - Release portion of Deed Restriction #4

Atty. Gearreald noted a change needed to be made due to the variance not being needed, with a new motion, and he discussed the change, and the amendment needed, (new motion below, per Atty. Gearreald)

On the request of the current owners of 2 Seventeenth Street, Motion to modify deed restriction as to 2 Seventeenth Street property at the request of the current owners, I hereby MOVE to modify the third and fourth sentences in Deed Restriction #4 in the Quitclaim Deed from the Town to Marguerite S. Hromada recorded on November 27, 1984 and recorded in the Rockingham county Registry of Deeds at Book 2522, Page 143, which formerly read as follows:

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So that same will now read as follows:

The Grantee will not erect any buildings upon the premises within the setbacks prescribed in the Hampton Zoning Ordinance except for a new 6' x 10' x 10' high free standing storage/garden shed building that is 4.1' from the side and rear property lines, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot, except for the aforesaid new 6' x 10' x 10' high free standing storage/garden shed building.

The other sentences of Deed Restriction #4 (the first and second sentences) remain unchanged.

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The Town Attorney is hereby directed to generate a document suitable for recording for the Board's signatures that memorializes these modifications.

Selectman Barnes MOTIONED to AMEND Deed Restriction #4 removing shed language from previously voted motion, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Sel. Barnes discussed that she is waiting to hear back from DC Public Affairs with regard to her questions on PFAS contamination, she will inform the board when she hears.

IX. New Business

1. Approval of Easement to Aquarion over Loy Drive at 231 Winnacunnet Road

This is not being done this evening.

Sel. Barnes discussed a bill in the house to repeal the Housing Appeals Board, she asked the board to vote to have Mr. Welch send a letter to support SB735, with a copy to NHMA.

Selectman Barnes MOTIONED to APPROVE Mr. Welch to send letters in support of SB735, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

X. Closing Comments

Chairman Griffin noted that he will be at the polls towards the end of the voting time and he will go back for signing.

Sel. Bridle MOTIONED to NOT MEET Monday, March 2nd, 2020, per the schedule.

There was discussion on who would sign the ballots and consensus was there will be 3 there, and continued discussion on poll coverage.

The board offered Chairman Griffin thanks for his service.

Attorney Mark Gearreald asked the Board to go into Non-Public Session, under RSA 91-A:3,II,(c) Reputation and (e) Litigation.

At 21:00 PM, Selectman Bridle MOVED to go into Non-Public Session, under RSA 91-A:3,II,(c) Reputation and (e) Litigation, SECONDED by Selectman Woolsey, which was voted unanimously by roll call (5-0-0).

PRESENT: Rick Griffin, Chairman

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Frederick Welch, Town Manager
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[The Minutes were sealed by vote following the resumption of the public session]

At PM, a MOTION was made by Selectman , SECONDED by Selectman , to leave the non-public session, which was approved unanimously (5-0-0)

At approximately PM, back in public session, Selectman MOTIONED, SECONDED by Selectman , to seal the minutes of the non-public session on the basis that disclosure of the minutes could jeopardize the actions to be taken, which was passed by a roll call vote of 5-0-0.

XI. Adjournment

At PM, the Selectmen adjourned the Public Session on MOTION of Selectman , SECONDED by Selectman , which passed unanimously (5-0-0).

Rick Griffin, Chairman