

July 15, 2019

7:00 PM Public Meeting

## SALUTE TO THE FLAG

### I. Public Comment

Susan Witcher, Boars Head, and husband Gordon. She is asking for handicap access on the first entrance of the seawall. The handicap access at 18<sup>th</sup> St. is difficult, and she and her husband stated handicap accessibility would be beneficial to her and others. They mentioned it would also help families getting to the beach. Susan stated there are several in that area that are disabled as well. Chairman Griffin thanked her for coming to discuss it.

Ann Marie Banfield, new Hampton Meadows resident. She mentioned reading about Hampton on social media and stated there are things at the beach that need tending to, like alcohol and drug abuse. She feels a larger police presence, especially at South Beach would be helpful, mostly at holidays and peak season. She is concerned about the negative impact from social media about these things. She mentioned fines and laws being a deterrent. She discussed property values. She mentioned the broken window theory and making State legislators aware.

### II. Announcements and Community Calendar

Sel. Barnes stated 4<sup>th</sup> of July was a success. She thanked departments and State officials and those involved. She mentioned her positive tour of the trade school. She reminded everyone of the ceremony for Rick Middleton at the half shell at 8 p.m., tomorrow evening.

Chairman Griffin also thanked everyone for keeping the beach as nice as it has been, especially the North end.

### III. Approval of Minutes

#### 1. July 1, 2019 Public and Non-public sessions

Selectman Woolsey MOTIONED to APPROVE the minutes of July 1, 2019 SECONDED by Selectman Waddell.

VOTE: 5-0-0

### IV. Consent Agenda

1. Banner/Sign License: Hampton Historical Society
2. Cemetery Deed: R. Frederic Ashenden
3. Heritage Commission Appointment: Christine Bushway
4. License for Coin Operated Amusement Devices: Seacoast United Sports Club
5. Parade and Public Gathering Licenses: Hampton Rotatory Beer Tent Ragnar Relay 09/14, Children's Festival Parade 08/16

6. Raffle Permit: Hampton Historical Society

7. Pool Table Permit: Casino Mini Golf

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

Sel. Bridle stated number five should be separated out. Chairman Griffin stated motion is for everything but number five.

VOTE: 5-0-0

Sel. Barnes Motioned to approve number five Seconded by Chairman Griffin.

VOTE: 4-0-1(Bridle)

V. Appointments

1. Legislators

Senator Tom Sherman, Pat Bushway, Reny Cushing, Tom Loughlin, Jason Janvrin

Sen. Sherman: He asked to give a brief recap of last session. He mentioned bi-partisanship and mental health bills and ones the governor will be signing. He discussed SB11, and its importance. He discussed the \$2 occupancy fee and that it was tabled, and where it now stands. He discussed the budget the business profits tax, and the four crises facing the State of NH. He discussed the business tax percentages and its effect on the four crises. He further discussed the budget being on hold.

Rep. Pat Bushway: She discussed the occupancy fee that didn't pass and the not to exceed twenty five cent parking increase that did not pass. She discussed her work with the Park service on additional parking issues. She mentioned lease spaces and the 16 lost due to the Kentville being gone. She discussed HB324, the Jet Ski ruling that passed.

Rep. Reny Cushing: He discussed he budget and its veto. He discussed funding for projects. He discussed the capital budget passing and the dredging going forward. He discussed the Coakley landfill. He mentioned a mental health commission and work regarding corrections and mental health.

State Rep. Tom Loughlin: He discussed HB359 and the opioid crisis. The bill passed and signed by the governor. He discussed the new proposal with regard to Coakley. He discussed Hampton's fair share with regard to room and meals and revenue sharing. He discussed the issue of State revenue versus State aid and property taxes. He discussed Hampton's revenue from room and meals tax and the need for data and revenue projections.

State Rep. Janvrin: He reiterated the need for the data. He discussed the bills he introduced and how busy a year it has been. He discussed the drinking water bill that was signed into law. He discussed bi-partisanship. Sen. Sherman discussed commissions and their work. There was general discussion on commission appointments and them being made during the summer, and what commission or committee everyone is on.

Chairman Griffin opened up for questions or comments.

Sel. Woolsey thanked Jason for hosting the bridge tour. She mentioned the medication drop off that Hampton Police has. She asked Sen. Sherman about the age to purchase tobacco bill, HB2, with regard to vaping. Rep. Loughlin discussed taxation and health issues about vaping. Dr. Sherman discussed cost as a deterrent for teens, and tobacco tax revenue. There

was general discussion of restricting use of tobacco and vaping at Parks. Rep. Janvrin discussed Seabrook vaping stores and age limits and lack of State licensing. Sel. Woolsey mentioned the Concord Monitor and the JOP and trash at State Parks and Hampton being taken to the cleaners in that regard. She mentioned the need for State Police in the Hampton State Park.

Sel. Barnes thanked the legislators and offered congratulations on the PFAS levels, with concern about lawsuits. Rep. Cushing answered that the state has retained Rod Bulotte as an expert. Sen. Sherman discussed health related lawsuits and costs of remediation. Sel. Barnes mentioned her concern of landfill clean up, and costs. She discussed a letter from the governor that stated his reasons for the budget veto. There was general discussion on the budget. Sen. Sherman discussed surplus and deficit and the budget process. He further discussed the business tax cuts and their ramifications.

Sel. Barnes respectfully disagreed. She mentioned State programs and property taxes and her belief that tax cuts work. She discussed lack of support from the State. She is happy with DES signs regarding fecal matter. She discussed the lack of State Troopers and that there are no Park Rangers. She discussed parking meters and sidewalks. She discussed crosswalks on Route 1A. She mention DPW adding staff for trash pick up on the 4<sup>th</sup> holiday. She discussed sewer hookups and costs at the State campground and that waste goes to the Town's WWTP. She discussed the costs of upgrades to that and reiterated the State revenue from parking meters. She discussed leased parking spaces and different costing. Chairman Griffin stated location, and being closer to the beach. Sel. Barnes asked the legislators for monetary State help in maintaining their property.

Sel. Waddell made statements regarding the positives with regard to the State and Hampton. He discussed creating strategy to getting bills passed. He also discussed the budget not passing and the surplus.

Sel. Bridle thanked the legislators for coming and that there are issues with the State. He referenced the public comment request of a sidewalk that is the State's problem. He discussed that he saw Park Rangers on the 4<sup>th</sup> holiday and that he has seen State troopers. He stated the Town and State continue to work on the problems.

Chairman Griffin thanked the legislators and discussed that we all must work together. He stated he has seen positives and he has seen more State troopers. He also discussed the Whitcher's request. He gave the legislators the opportunity for closing comments.

The general comments were working on the issues, creating legislation, the revenue bump and business tax, Hampton District (family) court, and thanks for the opportunity to appear and speak.

Sel. Barnes asked that the question be asked of Commissioner Bryce about working in a deficit without the Hampton 1.5 transfer and Rep. Cushing responded with a history of the State agreement regarding parking revenue.

2. Stephen Falzone, Trustee of the Trust Fund
  - a. Quarterly update

He discussed the second quarter update. The markets had a good quarter. The fund at end of quarter was \$22,354,053.00 with an investment gain of \$56918.00 and paid to the Town \$198,000.00 over the first three months. He discussed the trade war. The income projection

for the year is between 8 and 9 hundred thousand for the year. The entire Board offered their thanks and a good job done.

3. Rene Boudreau, Recreation and Parks Director
  - a. Departmental update

Mr. Boudreau offered highlights for the update. He stated it is week 4 of the 8 week summer camp. Every week is sold out. They are selling out of all their senior programs. He discussed the Eaton Park project is still hold and why. He discussed the removal of three pieces of playground equipment across from the library. He discussed programs: the USS Virginia clean-up program, the change of command at the shipyard, the UNH needs assessment meetings and what that will encompass, and the Planet Fitness volunteer work at Tuck Field. He discussed the Eaton Park outfield fence, and maintaining the overgrowth. He discussed the Flag Football program and volunteers at the skate Park as well as the recent Strawberry Festival. He mentioned working with Channel 22 for videoing events and PSAs.

- b. Smiles By the Sea Family Dentistry donation of \$1,750

Mr. Boudreau stated Smiles by the sea asked what they could do to help. He discussed changes to the Arts in the Park program and that they offered to help.

Sel. Woolsey asked Mr. Welch about a potential donation and if it was appropriate and Mr. Welch stated it was to a governmental agency so it was. She asked Mr. Boudreau if his position was union, he stated no. She asked how long had he been employed. He answered he is in his 19<sup>th</sup> year. She wanted to discuss the position and Chairman Griffin stated it should be done at another time.

Sel. Barnes asked if we had always maintained the playground across from the library. He mentioned the Rotary, but we have maintained in the past and the Rotary did not want further involvement. She mentioned the flowers at the gazebo. Mr. Boudreau mentioned the part time Park staffing constraints. She asked if they maintain the walkway Experience Hampton built and he stated they do not have anything to do with that. She asked who does and Chairman Griffin said they would take it under advisement.

Sel. Waddell stated Mr. Boudreau was doing well, good job.

Sel. Bridle stated good job, he attended the Strawberry Festival, it was good, and so was the shortcake.

Selectman Bridle MOTIONED to APPROVE the Smiles By the Sea Family Dentistry donation of \$1,750 SECONDED by Selectman Waddell.

VOTE: 5-0-0

4. Chief Sawyer, Police Department & Dep. Hobbs
  - a. Departmental update

Chief Sawyer stated we are at full staff. He discussed the WA of the school resource officer. Officer Brandon Whitehead is in that position at the Marston School. Officer DeMarco is at Hampton Academy and Officer Feeley is at Center School. Now fulltime Officer Schrieber will be attending the academy. Officer Terranzoni will be graduating from the academy in August. He mentioned Lt. Dan Gidley's retirement and his accomplishments. Office Kevin Smith became fulltime and will attend the academy in Sept. He discussed the summer season

and the Corporals for this summer and their roles. He stated part time staff levels are very low, with new staff and short experience time frames for some. He discussed part time testing, and subsequent processes for those moving forward. Four recruits will attend the part time academy.

He discussed ongoing issues with heroin in the region. He discussed beach staffing, particularly on busy summer days. He thanked all those who helped. He discussed upcoming events, into the fall. He stated statistics, service calls are down 15%, motor vehicle stops down 41%, arrests down 11% and DWI's are up 82%. Drug offences down 30%, incidents reported up 17%, offences down 4%, felonies up 16%, parking tickets down 24%.

Sel. Woolsey thanked them for the drug drop off area. She asked them about vaping on the beach. He stated they get many complaints. She asked about enforcing. He discussed warnings and arrest liabilities. She asked about bottles on the beach. He stated he sees no increase or decrease in the usage. She asked that private details be put on the agenda.

Sel. Barnes stated how impressive the traffic flow was after the forth fireworks. The chief discussed their planning and strategy for that traffic. He highlighted blocking certain areas that then had traffic going where they wanted. It worked very well and traffic was moving well after 45 minutes as opposed to two hours. He discussed traffic moving alleviates road rage and violence issues. He also highlighted additional support they received from Park Rangers for the 4<sup>th</sup>.

Sel. Waddell stated good job.

Sel. Bridle asked about parking tickets down. Chief Sawyer stated he attributed it to the weather being so cold and wet.

Chairman Griffin stated he felt all was going well and asked about State troopers. The chief talked about possible misunderstanding and how the Hampton Police and the State Police work together. He mentioned contacting them regarding the steady increase in DWI's and discussed enforcement. He discussed checkpoints. He discussed grants for additional staff and help. He discussed Hampton is a destination. He discussed people being overserved. He discussed increased enforcement and with him tonight are State Police representatives and the relationship between the two agencies is outstanding. He addressed the perception that the State Police have not been in Hampton. He stated as Chief, he invites the State Police to help out and they always do. He stated they have the same staffing issues as does the Town, including experience and turnover rates. He mentioned overtime and that people are not willing to work as many hours. He discussed reaching out to NH State Liquor, and enforcement of intoxication at establishments and those getting behind the wheel.

Chairman Griffin asked about an establishment in the B Street area. Chief Sawyer mentioned people being shutoff in one place and moving to another. He discussed having to intercede when the establishments don't. Chairman Griffin further discussed complaints of noise. He mentioned Planning Board needs to be aware before approvals of new places. He also stated making a complaint seems to help and the Chief agreed. Chief Sawyer encouraged people to call when there is an issue, but not everything is a violation.

Chairman Griffin asked about parking on High Street that shouldn't be. Chief Sawyer stated he looked at the issue himself and he discussed the sticker placement with regard to ticketing.

He also discussed the difference between a resident sticker and the fact that we issue taxpayer stickers. The Chairman and Chief discussed Moulton road and the Chief stated his recommendation of a three way stop sign.

Sel. Woolsey asked about State Parks and the State Police being the enforcers. Chief Sawyer explained that is misinformation and further detailed how the process works and gave the history on it. He also reiterated on how the traffic and how it flows, relates to everything. He discussed the steady increase of cars. He discussed the excellence of the State Police work with DWI's. Chief Sawyer stated and assured Sel. Woolsey that the Hampton Police and the NH State Trooper's relationship and coordination has never been better.

Sel. Barnes stated she is not being critical of either, but her concerns are what she is hearing from Hampton businesses. She stated that she is hearing people on the beach, particularly the South end, feel it would take them too long a response time should they need a Hampton officer, or whoever. She stated they feel it has never been that way before. Chief Sawyer discussed how for many years we have done more with less and now it has gotten to where we are doing less with less because of recruitment and budgetary issues. He stressed that they are doing their best and for the need to prioritize. Sel. Barnes stated it is not a criticism, she is just looking for State support. The Chief respectfully disagreed. He stated he is getting all the support they can muster. Chairman Griffin reiterated that in order for a solution, a complaint must be made.

5. Michael Duggan
  - a. Parking request

Mr. Duggan, representing Gables Home Owners Association, 9890 Ocean Blvd. Due to structural damage, he is asking for permission for 4 to 6 vehicles to be about to park for a two month period, in the lot between Cusack and High Street. Mr. Welch stated if the Board approves it, the Town will issue the necessary documents.

Selectman Waddell MOTIONED to APPROVE the Parking Lot Space Approval. SECONDED by Selectman Woolsey and Bridle.

No further discussion. Show of hands vote.

VOTE: 5-0-0

6. Jen Hale, Deputy Director
  - a. Authorization for Award of Bids and Purchasing Policy waivers

Ms. Hale discussed the above listed bids. (time 2:38)

- i. Warrant Article #23 Vehicle purchase Bids 2019-003 & 004 § 718-4.B, § 718-16

Asking for award to Liberty Chevrolet for the 2, ¾ ton trucks.

Selectman Bridle MOTIONED to APPROVE the Authorization for Award of Bids and Purchasing Policy waivers SECONDED by Selectman Waddell.

Sel. Woolsey asked what vehicles are being replaced. Ms. Hale replied units 26 and 16. Sel. Woolsey asked about huge maintenance costs and Ms. Hale replied that was the reason for the WA. Sel. Woolsey asked about being cheaper to lease and Ms. Hale stated no.

There being a motion and second:

VOTE: 5-0-0

And the waiver:

Selectman Waddell MOTIONED to APPROVE the Purchasing Policy waiver SECONDED by Selectman Barnes.

VOTE: 5-0-0

Selectman Waddell MOTIONED to APPROVE the Authorization for Award of Bids and Purchasing Policy waivers for the One Ton SECONDED by Selectman Bridle.

Sel. Woolsey asked about the vehicle being replaced. Ms. Hale answered number 30.

VOTE: 5-0-0

ii. Bid 2019-005 Paving § 718-4.B, § 718-5.1

Ms. Hale discussed the bid for roads of over 1000 feet that needed to be paved. There were two bids, asking for the bid to be awarded to the lowest bidder Brox and to authorize the Town manager to enter into a contract not to exceed \$390000.00.

Selectman Barnes MOTIONED to APPROVE the Authorization for Award of Bid and to include the waivers SECONDED by Selectman Waddell.

VOTE: 5-0-0

iii. Bid 2019-006 Park Avenue Culvert Replacement Project § 718-5.1

Ms. Hale explained where the culverts were, what the WA would support and that the three received bids were for more than the amount approved. She outlined the benefit of completing the project all together, using WA funds, grant money, and budget money. She asked the bid and contract be awarded to SumCo Environmental, the lowest bidder. She stated references were checked. She discussed the timeframe of the project and that it could not be completed by the beginning of school. She noted the further delay of the King's Kingdom playground.

Sel. Woolsey asked about the Rt. 1 construction. Ms. Hale stated they are looking for a bid in the next two to three weeks, with a start after the Seafood Festival.

Sel. Barnes asked what the bid was for. Ms. Hale answered \$480,010.00. Mr. Welch stated he is very satisfied with the DPW process and recommends approval.

Selectman Waddell MOTIONED to APPROVE the Authorization for Award of Bid and to include the waivers SECONDED by Selectman Woolsey.

Sel. Waddell asked if they would announce why the delay with the playground and the answer was yes.

Sel. Barnes also stated the need to explain to the public why the cost is double the amount. Ms. Hale stated yes and explained the engineering and design process as well.

VOTE: 5-0-0

Ms. Hale discussed the National Fish and Wildlife Foundation Grant and that we were accepted to do a full proposal. She asked the Board to sign a letter of support. She stated



many others would be writing letters on our behalf. Sel. Barnes and Ms. Hale discussed the Hampton Beach Village District Ms. Hale attended and provided much information to.

7. Susan Faro
  - a. 50 Drakeside Road issues

Ms. Faro discussed iron ochre, what it is, and that it is in her basement. It is iron deposits with bacterial slime, and it clogs pipes and drains. She contacted NHDES, and several others. She discussed Abandonment Dump #2. She discussed the zoning of her property, and a heat map she was given. She discussed a flood she had three weeks ago due to sump pump failure. She discussed her options to help the situation. She believes the water should be tested.

Chairman Griffin asked what she felt was related to the Town. She mentioned her house may be wetlands and her concern about the abandonment dump. Chairman Griffin discussed that he had an issue and removed his basement. Ms. Faro stated her utilities were there. Mr. Welch discussed the abandonment dump was State property. He also discussed a study and possible water testing. He said Town counsel may need to be referred, but didn't believe the Town should do the testing. He discussed federal law regarding purchasing landfill property. Chairman Griffin and Mr. Welch discussed Town responsibility with regard to building on wetlands. Mr. Welch discussed an increase in wetlands. He discussed groundwater flow, and where water flows with regard to Ms. Faro's property.

Sel. Woolsey asked who built the house and who is looking out for this. Mr. Welch answered with a discussion on environmental changes. There was general discussion on how Ms. Faro's building had a full basement, how the grounds in back were wet. Mr. Welch offered a possible title insurance solution. Sel. Barnes discussed the 50 ft. wetlands buffer and recommended Mr. Welch's solution. There was general discussion regarding Ms. Faro's variance. Chairman Griffin said it all would be taken under advisement and the Town attorney would take a look, but it sounded like a private issue. There was continued general discussion on who handles what.

## VI. Town Manager's Report

1. The State Joint Legislative Committee on Administrative Rules will be reviewing proposed rules for the Maximum Contaminate Levels (MCL's) and Ambient Groundwater Quality Standards (AGQS) at their July 18, 2019 meeting in Concord. Their action may set standards for PFO's in four different categories. The notice also indicates that the rules also dictate the conditions under which treated and untreated wastewater may be discharged to groundwater. This rule may have a long-term financial effect on the Town's wastewater treatment plant.
2. The NHMA will be holding a discussion of PFAS from 9AM to Noon on Monday, July 22, 2019 at their offices in Concord. Pre-registration is required.
3. The revaluation is proceeding as planned. The required data entry from April 1, 2017 to March 31, 2019 is completed. Building and land values based on sales data and preparing for field reviews is during the month of July. Preliminary values should be completed by mid-August with hearings being held towards the end of August.
4. Public Works supplemented the trash schedule and efforts during the 4<sup>th</sup> of July period at Hampton Beach to assist in keeping the discarded refuse situation under control during the evenings. The temporary program was very successful.

Sel. Barnes asked about the assessment completion date changing to mid-August. She asked if the Board would be reported to with enough time. Mr. Welch stated it appears letters would be going to taxpayers in time to have meetings regarding concerns. He said final values would not be complete until all meetings were held. Mr. Welch stated we are still looking to set the tax rate and send bills in Nov. payable in Dec. Sel. Barnes was concerned about the date in the contract changing and Mr. Welch believes the work started late while waiting for contracts to be signed.

## VII. Old Business

### 1. Non-Union Employee Compensation

Mr. Sullivan appeared to discuss the compensation. He stated the Board had the recommendations and he was here to answer questions.

Sel. Woolsey discussed the salary of the Recreation Director. Mr. Sullivan answered he was promoted and received the one starting rate for that position. He also mentioned the MRI study and that position being below the study and that they can now have a range with some flexibility. There was general discussion on rates of pay, what is in place, and the study that was done. Mr. Sullivan discussed the recommendations.

Selectman Waddell MOTIONED to APPROVE the Non-Union Employee Compensation SECONDED by Selectman Bridle.

Sel. Barnes asked for discussion. She stated she would be voting no on the motion and read a statement as to why. She highlighted the DPW Dept and the default budget and its adverse effects.

Chairman Griffin commented he wasn't in favor of the study to begin with, but now that it is done and the time spent, he is in favor of the recommendation and motion.

Sel. Woolsey asked for a discussion at a further time on the personnel policy and salaried employee's not earning overtime.

Chairman Griffin called for the vote.

VOTE: 3-2-0(Woolsey and Barnes)

### 2. Selection of Selectmen's Representative to Heritage Commission

There was general discussion on who this would be. General comments were that Sel. Woolsey was it.

Selectman Griffin MOTIONED to nominate Selectmen Woolsey as Representative to Heritage Commission SECONDED by Selectman Bridle.

VOTE: 4-0-1(Woolsey)

## VIII. New Business

### 1. 3-Way Stop sign at Moulton and Morningside Roads

Mr. Welch recommended the Board approve authorization of the sign.

Selectman Waddell MOTIONED to APPROVE the 3-Way Stop sign at Moulton and Morningside Roads SECONDED by Selectman Woolsey.

VOTE: 5-0-0

2. PA-28 Inventory of Taxable Property for 2020 Vote “Not To use”

Mr. Welch recommended that the Board vote to not use the PA-28 as it would mean a report for every taxpayer in Town, and penalties would be involved for those who did not comply.

Selectman Woolsey MOTIONED to APPROVE the “Not to use” PA-28 Inventory of Taxable Property for 2020 SECONDED by Selectman Waddell.

VOTE: 5-0-0

3. Hampton Falls Dispatch Agreement

Mr. Welch stated we have an agreement and that it is successful and the Fire Chief recommends that it be continued.

Selectman Woolsey MOTIONED to APPROVE the Hampton Falls Dispatch Agreement SECONDED by Selectman Barnes.

VOTE: 4-0-0(Griffin not present)

4. Repeal the 1969 Warner Lane/Roberts Drive Sewer Billing Contracts

Mr. Welch recommended repeal the contracts as the billing is now in the tax rate and there should be no misunderstandings.

Selectman Barnes MOTIONED to APPROVE the Repealing of the 1969 Warner Lane/Roberts Drive Sewer Billing Contracts SECONDED by Selectman Waddell.

VOTE: 5-0-0

IX. Closing Comments

Sel. Woolsey commented on the time of the ending of the meeting.

Sel. Barnes asked for agenda items for upcoming meetings: Ethics policy and meeting with Assessing. Chairman Griffin stated Mr. Sullivan was handling Assessing and what did they want to do about MRI. He asked Sel. Barnes about the ethics and what did she want, and she stated with regard to the Board. There was much general discussion on what to talk or not talk about with regard to the ethics policy, and then salaried employees. Chairman Griffin called for getting an issue resolved and Mr. Welch stated he would get an amendment made and Chairman Griffin stated it would be on the agenda next meeting. There was more discussion on what to discuss.

X. Adjournment

Sel. Waddell made a motion to adjourn. Sel. Bridle seconded. Vote: 5-0-0

Sel. Barnes mentioned the Session 2 Planning’s Master Plan meeting.

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Rick Griffin, Chairman