

# Town of Hampton



January 13, 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. Public Hearing: Pursuant to RSA 31:95-b,III (a) to take testimony from those who wish to be heard concerning the following: To apply for, accept, and expend unanticipated monies in amounts of \$10,000 or more from the following agencies and their subsidiaries in 2020.

21<sup>st</sup> Century Cures Act, American Recovery and Reinvestment Act of 2009, Climate Resilience Fund, Conservation Law Foundation, Crimeline for the Hamptons, Field Pond Foundation, Great Bay Resource Protection Partnership, Gulf of Maine Council, HealthTrust, Help America to Vote Act (HAVA), Land Trust Alliance, National Coastal Wetlands Conservation Grant Program, National Fish and Wildlife Foundation (NFWF), National Ocean Service (NOS), National Oceanic Atmosphere Administration (NOAA), National Science Foundation (NSF), NH Charitable Trust Foundation, NH Coastal Adaptation Workgroup, NH Community Development Finance Authority (CDFA), NH Courts, NH Dept. of Environmental Services (NHDES), NH Dept. of Justice, NH Dept. of Natural & Cultural Resources (DNCR), NH Dept. of Safety, NH Dept. of Transportation (NH DOT), NH Division of Historical Resources, NH Drinking Water and Groundwater Trust Fund, NH Emergency Management Agency, NH Fish and Game, NH Health and Human Services (NH DHHS), NH Highway Block Grants, NH Highway Safety Agency, NH Historical Society, NH Homeland Security and Emergency Management (HSEM), NH Housing Finance Authority, NH Land and Community Heritage Program (LCHIP), NH Municipal State Aid Grant (SAG), NH Office of Strategic Initiatives, NH Port Authority, NH Preservation Alliance, NH State Homeland Security Program (SHSP), Northeast Regional Ocean Council (NROC), Piscataqua Region Estuary Partnership, Public Works and Economic Development Act of 1965, Rockingham Planning Commission (RPC), Society for the Protection of New Hampshire Forests, Southeast Land Trust, The Climigration Network, The Kresge Foundation, The Nature Conservatory, Trust for Public Land, University of Maine, University of Massachusetts, University of New Hampshire, University of Rhode Island, University

of Vermont, US Air Force, US Army Corp of Engineers, US Army, US Coast Guard, US Courts, US Dept. of Agricultural, US Dept. of Commerce (DOC), US Dept. of Defense, US Dept. of Health and Human Services, US Dept. of Homeland Security (DHS), US Dept. of Housing and Urban Development (HUD), US Dept. of Justice, US Dept. of Transportation (DOT), US Economic Development Administration (EDA), US Election Assistance Commission, US Environmental Protection Agency (EPA) US Federal Emergency Management Agency (FEMA), US Federal Highways Administration (FHWA), US Fire Administration, US Fish and Wildlife (FWS), US Marines, US Navy, Wildlife Conservation Society, Woods Holes Oceanographic Society.

Mr. Welch noted this encompasses all the state and federal agencies that have grants for cities and towns.

Comments opened to the public, there were none.

Sel. Waddell clarified this was to accept money if offered during the year, and the answer was yes.

Selectman Woolsey MOTIONED to APPROVE under RSA 31:95-b,III (a) , the Acceptance to apply for, accept, and expend unanticipated monies in amounts of \$10,000 or more from listed agencies and their subsidiaries in 2020, SECONDED by Selectman Barnes.

Sel. Barnes noted the entire list of agencies is on the town website.

VOTE: 5-0-0

II. Public Hearing: Pursuant to RSA 674:40-a

1. Acceptance of 1,645 square feet of Huckleberry Lane to be added to existing layout

Atty. Gearreald explained the approval of a subdivision by the Planning Board, and the road bending into one of the lots. The board would be accepting the road as built.

Sel. Woolsey clarified the road being deeded to the town, and the answer was it already has been.

Selectman Woolsey MOTIONED to APPROVE under RSA 674:40-a, the Acceptance of 1,645 square feet of Huckleberry Lane to be added to existing layout, SECONDED by Selectman Waddell.

VOTE: 5-0-0

III. Public Comment - There were none.

IV. Announcements and Community Calendar

Sel. Barnes thanked the Fire Dept. for helping a longtime resident and their excellent work. She announced the deliberative and town meeting dates are coming up, Feb. 1<sup>st</sup> and Mar. 10<sup>th</sup>, and the importance of town wide participation.

Sel. Waddell dittoed the remarks.

Chairman Griffin commented on Jackie Connors, of Ashworth Ave., and sorry for his passing.

V. Approval of Minutes - None at this time.

VI. Consent Agenda

1. Cemetery Deed: Nancy Craven 39/I-1/2/1&3 and 40/I-1/2/1&3
2. Hold Harmless & Indemnification Agreement: 7 Redman Street
3. Parade Permit: Finestkind Brewing Crackle & Hops Winter Festival 01/25/2020
4. Raffle Permit: Hampton Rotary 01/20/2020
5. Signature for Inter-municipal agreement between Hampton and Exeter for Wastewater

Atty. Gearreald asked the board to pull #2, as the signed copy is not available yet.

Sel. Barnes noted that #5, the annual fees have increased over \$25,000.00 over the past year.

Mr. Welch noted this agreement went back to 1950, and, also noted future increases due to Exeter building a new plant. He discussed this cost as opposed to laying new pipe on Exeter Road.

Sel. Woolsey commented on the benefit to the community.

Selectman Woolsey MOTIONED to APPROVE the Consent Agenda without item #2, SECONDED by Selectman Bridle.

VOTE: 5-0-0

VII. Appointments

1. Chief Sawyer, Police Chief
  - a. Departmental Update

Chief Sawyer noted this was his dept.'s previous year end review. He noted the board had a copy of the report. He discussed staff levels, the school resource officer warrant article that passed, noting Off. Whitehead's appointment. He noted Lt. Dan Gidley's retirement, and highlighted his accomplishments while with Hampton. He discussed Alex Reno's promotion to Lt. and noted his career accomplishments. He discussed the summer Corporals being Jason Jaxson and Chris Keyser. He noted Off. Sorokins being appointed Prosecutor. He noted Off. Terranzoni's graduation from the Pol. Academy. He discussed Off. Sorokins promotion to Sergeant and his accomplishments. He discussed the resignation of Off. Gaudreau to go to Manchester. He noted the Pol Academy graduations of Off. Schrieber and Off. Smith. He noted Off. Tufts being sworn in as our newest officer, he will go to the academy in May.

He discussed part time officers. He listed those who have left and noted those four that were hired full time by the town of Hampton. He also listed new part time officers, noting the hiring process. He discussed civilian personnel, noting those who had left and those that were hired.

He discussed department training and recruitment. He discussed recruitment concerns and difficulties. He discussed trainings, for in house, and attendance from officers around the US and Canada, and listed some of the trainings held.

He discussed department operations. He noted opioid cases worked and highlighted continued works with that issue. He discussed outside agency help due to officer shortages.

He listed the agencies and thanked them, noting Seabrook's help with traffic at Ocean Blvd.

He listed police activities noting percentages up or down over last year.

Sel. Woolsey asked about an officer by name and Chief Sawyer noted he would not get into that as it would possibly violate someone's rights. She asked about the school resource officers and possible rotation of them, not full days at the school. The chief stated they could, but they won't, noting the voter's clear position on the schools having the officers. He also noted the safety needed in schools today and he is a definite proponent of the officers in schools.

Sel. Barnes asked about part time officers at 27, and the answer was actually 26 at this time. She asked how the chief how long he has been with Hampton, and the answer was since 1995. She asked about part time numbers in the past, the chief answered in 2005, there were 55 part time officers working shifts, he discussed changes at the beach, noting prior years being more violent and currently an uptick in DUI's. He discussed possible reasonings, noting police shortages and the increase in work in summer at the beach meaning less of other patrols. He discussed being fully fulltime staffed at the moment, but someone out with an injury.

Chairman Griffin noted the staff member going to another agency and asked how many we get from other departments, and the answer was that doesn't happen as then generally hire full time from the part time ranks. He again noted the shortage of part timers.

Sel. Bridle stated good report, and asked about parking enforcement and if they just work in the summer, and they answer was they always have, but it is being explored.

Dep. Hobbs addressed the recruiting issue and discussed a new program partnering with UNH Marketing Dept. As part of their class, students identify a community problem to come up with solutions, and we have asked they take on this recruitment issue. The ideas and possible solutions they come up with will be looked at to see if any should be implemented. He noted being very excited about the partnership.

Chairman Griffin asked about a commitment and Dep. Hobbs noted a fee, but Chief Sawyer noted it will be paid from the asset forfeiture fund. There was discussion on extra eyes looking at things is always helpful.

Sel. Woolsey asked if the state police back up at the state park, and the answer was absolutely. The chief discussed the change in work force today. She asked about other state parks, and the answer was the state police do not patrol any state park. He referenced a meeting where the State Corporal was in to discuss it. The chief discussed forest rangers help.

Sel. Barnes noted the partnership with UNH sounds great.

Chief Sawyer noted Feb. 1 and 2 was Special Olympics, the High School Plunge and the Penguin Plunge, noting having to change the roads, and it not being on the agenda, but it is something we do every year.

Selectman Waddell MOTIONED to APPROVE Changing the Traffic Pattern for the Special Olympics Events, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Chairman Griffin noted such a great job they do with that.

Chief Sawyer discussed the issues at the North Shore, and signs for the middle of the crosswalks. He discussed the previously his answer was state DOT did not want them. They have changed that, as long as the town pays for and maintains. There was discussion that they would only be for summer season.

Sel. Waddell asked about cost and the answer was that needs to be researched, but around \$200.00. Sel. Waddell stated, not a lot of money, and if it saves someone in a crosswalk. The chief noted possibly liability to the town.

Chairman Griffin asked about the money from the special revenue fund, and the answer was not fund 26, but asset forfeiture they could.

Sel. Bridle asked about the issue of people going into the lane at the location of Greg's and possible reflectors there. The chief noted there were some southbound, but it is a constant maintenance issue.

Sel. Barnes asked for clarification on the purchase and the chief described the sign. She asked about how many, 9, and the answer was yes. She noted not understanding why it should be a town expense for a state road.

Sel. Woolsey expressed her being fed up with the state and it not doing its responsibility.

Sel. Waddell noted caring about the residents at the beach, and he would like it investigated.

Chairman Griffin agreed it should be investigated. The consensus was for the chief to do the research. Mr. Welch noted they would need a written agreement with the state DOT and an insurance policy to indemnify the state. He discussed people trying to destroy them.

2. Carl McMorran, Aquarion Water Company
  - a. Quarterly Report

Mr. Herlihy noted his retirement, but will work part time. He noted Mr. Larsen's qualifications. He noted a PFA's presentation, and discussed a lawsuit and stay of regulations, with new limits being on hold. He noted Aquarion will continue monitoring quarterly.

Mr. Larsen discussed continued monitoring and quarter four of 2019, with not much change.

Mr. McMorran discussed the main replacement program. He discussed the pipes, noting the oldest is 110 years, and with older pipes, come problems like breaks and leaks. He discussed pipe replacement, and Mill Road and Ann's Lane, as well as Mace Road. He discussed the new water treatment plant, it being close to starting up, and discussed permitting for well 22. He discussed the new tank at Falcone Circle, will be going to the Zoning Board soon.

Sel. Woolsey asked about a tour of the treatment plant, and Mr. McMorran stated there will probably be an open house when done. She asked about fixing Mill Road, and the answer was it was alluded to and will be done. She asked about a plan to update pipes, and the answer was yes, noting their engineering dept. She noted watching the crew on Little River Rd and the nice job being done.

Sel. Waddell asked if there is any problem with lead, and the answer was there are no lead pipes, but homes have them. Mr. Herlihy discussed a new proposed legislation regarding

lead requirements, with monitoring. Sel. Waddell asked if we are well below the PFA's, and the answer was yes, noting all five are below the new lower limits. He asked if the recent water breaks were the older pipes, and the answer was yes. He asked about the older pipes being on the list and the answer was when a pipe breaks it gets closer to the top of the list.

Sel. Bridle asked about expansion to the system, and the answer was there was some discussion about Mary Batchelder but has heard nothing lately.

Chairman Griffin asked how far along was the tank at Falcone Circle, and the answer was it is in the design and permitting stage. He asked if the feeling was to keep the twin, even with the dissention, and the answer was it is the best way for reliable water service, and noted information on the website. Mr. Herlihy noted the existing tank must come out of service for maintenance and the only way for that is another tank. There was discussion about double tanks.

Sel. Woolsey asked if there will be another meeting with the Falcone Circle residents, and the view was discussed. She asked if there were still sampling private wells and the answer was no, and Mr. Herlihy noted it was DES that was doing that. She noted appreciating the outage notices.

Chairman Griffin asked if the new tank was bigger and the answer was no, it is the same.

Sel. Waddell noted the tank can be seen from all over, and stressed there has to be much information to the residents of the need for the tank.

Chairman Griffin thanked the Aquarion team for coming in and their presentation, and good luck was wished for Mr. Herlihy and his retirement.

#### VIII. Town Manager's Report

1. Individuals interested in placing their name on the ballot for elected Town Office should see the Town Clerk between January 22 and 31 to sign the required forms.
2. The final day to submit petitioned warrant articles for the Annual Town Meeting is tomorrow, January 14, 2020 in the Office of the Board of Selectmen. Petitions require the name and address of the voter as they appear on the voter list and the individual's signature.
3. The Public Hearing on the Budget and Warrant Articles will be held at the Hampton Academy on January 16, 2020.
4. The Deliberative Session of Town meeting will be held at the Hampton Academy at 8:30 AM on February 1, 2020.

Sel. Barnes reiterated the time of the Deliberative and the importance of the date.

Sel. Waddell did the same.

Sel. Bridle noted there should be signs as it is a new place for people to go, and Mr. Welch noted the new signs the Police Dept. has, and they will be asked to have them out.

#### IX. Old Business

1. 2020 Warrant Articles

Mr. Welch discussed ratifying prior votes. He suggested moving to approve and accept the prior recommendations to warrant articles as previously voted by the Board of Selectmen, Articles 10-14, 16 & 17, and Articles 19-28, and Articles 30-46.

Selectman Bridle MOTIONED to APPROVE and ACCEPT the prior recommendations to warrant articles as previously voted by the Board of Selectmen, Articles 10-14, 16 & 17, and Articles 19-28, and Articles 30-46, SECONDED by Selectman Waddell.

Sel. Barnes stated she wanted to redo one of her votes. She noted Article 24, the Flooding Study for \$200,000.00 and that she wanted to change her vote to completely support the article.

There was discussion on the vote being 3-2 and she would like to change to support article 24. Consensus was there needed to be a motion.

Sel. Barnes MOTIONED to Support Article 24 changing her vote from last week, SECONDED by Selectman Woolsey,

VOTE: 5-0-0

Vote was called for Sel. Bridle's motion.

VOTE: 5-0-0

Sel. Woolsey commented on Article 12, Sports Betting, noting she feels it is not proper for elected officials to support a gambling article.

Mr. Welch stated the Board has not voted on the budget. He commented that the budget committee voted 8-0, and he noted the warrant article for the flag holders for the cemetery, the budget committee voted to recommended to amend the article to \$1.00 and the balance be put into the cemetery budget. He noted he heard from the Vice Chair, and believes that there will be a motion to reverse that vote, and said the state has said they can not remove the warrant article. He noted the feeling was it was better to have the money in the warrant article for the town to vote on.

There was general discussion on the vote of the budget, when it should happen, and meeting dates, and continued discussion on voting at the public hearing. There was consensus that it should be a five person vote.

Sel. Waddell asked if there were an issue to vote tonight. Atty. Gearreald stated they could vote on the version of the budget now.

Selectman Waddell MOTIONED to APPROVE the budget as presented by the Board, SECONDED by Selectman Barnes.

VOTE: 5-0-0

Mr. Welch noted next is Article 18, Winnacunnet Road, with \$1,000,000.00 from capital reserve funds, or to prepare construction plans for Winnacunnet Road, from capital reserve for \$435,000.00, or remove article 18. DPW is here to speak on this.

Dir. Jacobs stated he would be in favor of article 18 the way it has been rewritten to do only the engineering. He noted that is all that would have been spent in 2020 anyway, feeling it would accomplish what the board wants done and what the residents want, getting the

projects planned. Dep. Dir. Hale discussed SRF funding. Ms. Hale discussed priority list, and noted this rewrite is for Winnacunnet and High St.

Chairman Griffin asked if they support the rewritten article, and the answer was yes. He asked Mr. Welch for his input.

Mr. Welch stated he felt it makes a lot of sense. He explained working in an orderly fashion, giving an example of planning the work.

Sel. Woolsey stated she is in favor of 18 as it stands.

Sel. Barnes stated she is in favor of 18 to start the engineering.

Sel. Waddell stated he is in favor, it has to be done and asked how many studies do we have now. He noted the seawall. Ms. Hale stated that is done, ready for bid. She noted the other two studies we have are flooding studies. He asked about the WWTP and she stated it is at 90% ready for bid and are getting permits. Dir. Jacobs noted 90% means going to state for last review. Sel. Waddell asked if Lafayette Rd. is ready to go, and Ms. Hale noted that will start April 15<sup>th</sup>. He asked if they were confident everything is moving along and adding this to the schedule, and the directors answered yes and consultants are prequalified and they just have to decide which way to go. He asked about potholes and Ms. Hale said they would continue to be filled.

Sel. Bridle stated he feels this is a much better way to go.

Selectman Bridle MOTIONED to Recommend the Alternative Plan of \$435,000.00 from Capital Reserve for planning and engineering of Winnacunnet Rd and High St., SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Mr. Welch discussed they can change the articles before signing the warrant if they desire.

Sel. Bridle asked about Article 23 and the budget committee recommended the increase to \$500,000.00. Mr. Welch noted they can change the article to that if they want. Sel. Bridle asked his opinion and Mr. Welch noted having to raise the additional money, and his recommendation would be to decrease, not increase.

Mr. Welch noted that Article #28 has not been voted on. He commented on the state funds received and the vote to add to appropriations to do Elaine St. sewer and roads. He discussed we will be receiving another check from the state and would like to use it for communications systems for departments. Consensus was this is article #29.

Selectman Bridle MOTIONED to Recommend to Approve Article #29, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

Sel. Barnes asked about Article #32 and the \$80,000.00 for the recycling account and commented on an article in the Boston Globe. She noted many communities cannot continue to afford to pick up recyclables. She discussed the increase in cost from Waste Management, from \$100 per ton with 10% contamination to \$225 per ton with greater than 25% contamination. She noted the article discussing that towns that don't separate their recyclables will have to pay \$150 per ton over a three year contract. She discussed the

affordability of the future of this issue. She asked about the \$80,000.00, if it is just starting the fund. Dir. Jacobs stated that money is seed money for the fund. He discussed transfer station payments going into the fund, noting they will need board approval to spend, giving examples. He discussed the town's support for recycling, and agreed it is an evolving situation.

Chairman Griffin noted the changes and the need to move quickly. He noted reading the number of bins being 40 or so per week, and he corrected that it is actually per day and people need to understand the board is not opposed to picking up trash, there just has to be limits.

Mr. Welch reiterated how the fund in Article #32 works.

Chairman Griffin discussed the future of the amounts of trash coming in.

Mr. Welch discussed the process of tomorrow night's meeting at 5:00 for any additional articles.

X. New Business - There is none.

XI. Closing Comments

XII. Adjournment

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

At 8:33 PM, Selectman Woolsey MOVED to go into Non-Public Session, under RSA 91-A:3,II,(e) [Litigation], SECONDED by Selectman Bridle, which was voted unanimously by roll call (5-0-0).

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

Chris Jacobs, Public Works Director and Jennifer Hale, Deputy Public Works Director were also present for the first item taken up in the non-public session.

Ed Tinker, contract Assessor, was also present for the second and third items taken up in the non-public session.

Selectman Regina Barnes departed at the time of the fifth item taken up in the non-public session.

[The Minutes were sealed by vote following the resumption of the public session]

At 8:59 PM, a MOTION was made by Selectman Waddell , SECONDED by Selectman Bridle,, to leave the non-public session, which was approved unanimously (4-0) (Selectman Barnes having departed before the end of the non-public session).

At approximately 9:00 PM, back in public session, Selectman Bridle MOTIONED, SECONDED by Selectman Waddell, 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 4-0(Selectman Barnes having departed before the end of the non-public session).

At 9:01 PM, the Selectmen adjourned the Public Session on MOTION of Selectman Bridle, SECONDED by Selectman Waddell, which passed unanimously (4-0) (Selectman Barnes having departed before the end of the non-public session).

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Rick Griffin, Chairman