

January 25, 2021

7:00 PM Board of Selectmen - Electronic Meeting by teleconference

As Chairman of the Hampton Board of Selectmen, I have determined that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, that to properly ensure the safety of the public and that of several of the Board members who are within the CDC guidelines needing to take special precautions, this public body is authorized to meet electronically.

Please note there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming we are:

We are utilizing a teleconference service for this electronic Meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public may join this electronic meeting by calling **1-857-444-0744** and use the code **156034**. If anybody has a problem, please call **603-929-5805**.

SALUTE TO THE FLAG

I. Roll Call

Chairman Waddell asked each member state their presence and location.

Sel. Raga, present, Selectmen's Meeting Room

Sel. Bridle, present, Selectmen's Meeting Room

Sel. Woolsey, present, Selectmen's Meeting Room

Sel. Barnes, present, Selectmen's Meeting Room

Chairman Waddell, present, Selectmen's Meeting Room

Town Manager Jamie Sullivan, present Selectmen's Meeting Room

- II. 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 2021.

Public Hearing opened at 19:02

Grants are listed on the agenda and on the website.

21st 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 (NHDOT), NHDOT Transportation Alternatives Program (TAP) 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.

TM Sullivan spoke on the need for the board's authorization for applying for the grants if amounts are over \$10,000.00.

Sel. Barnes asked for clarification that these would come back to the board. TM Sullivan noted this is to apply, and in order to accept them, they would come back to the board.

Selectman Bridle MOTIONED to APPROVE to apply for, accept, and expend unanticipated monies in amounts of \$10,000 or more from the following agencies and their subsidiaries in 2021, as is listed in the agenda and public notice, SECONDED by Selectman Woolsey.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

Public hearing closed at 19:04

III. Public Comment [Time limitation of three (3) minutes per caller] - None

IV. Announcements and Community Calendar

Sel. Woolsey discussed Mr. Welch's explanation of the possible expansion of the High Street Cemetery. She gave a round of applause to the project completed by Connor McNamara, Eagle Scout project, and the Hampton Historical Society, documenting the seven small cemeteries in Hampton.

Public Comment came at this time: Dave Hartnett, 339 Ocean Blvd., thanked the board for doing a thankless job. He discussed his concern of the budget committee cutting support for the police department, noting the outside service departments that assist, and noting we should get more money from the state. He discussed the idea of hiring a consultant for the Fire Dept., noting recent departures and the Fire Chief doing a good job, as well as the employees. He discussed the experience years of current management, noting they could handle, as opposed to hiring outside.

Sel. Barnes announced that Feb. 9th, the HBAC will conduct a coastal resilience symposium, from 8:30am to 2:30 p.m., noting it is daytime during the week but will be available for viewing later. She encouraged all to participate in the Deliberative session this Saturday, Jan. 30th,

Sel. Bridle reiterated encouraging the participation in the Deliberative session.

Chairman Waddell announced the professional spotlight that was done on Recreation Director Rene Boudreau by NH Parks and Recreation. It is on the Recreation's Facebook page.

V. Approval of Minutes

1. Minutes of January 4, 2021

Selectman Woolsey MOTIONED to APPROVE the Minutes of January 4, 2021, SECONDED by Selectman Barnes.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

2. Minutes of January 11, 2021

Selectman Woolsey MOTIONED to APPROVE the Minutes of January 11, 2021, SECONDED by Selectman Barnes.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

3. Minutes of January 15, 2021

Selectman Woolsey MOTIONED to APPROVE the Minutes of January 15, 2021, SECONDED by Selectman Barnes.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

VI. Consent Agenda

1. Welfare Lien Release

2. Cemetery Deed: Merrill Family Revocable Living Trust (135/E/2/5&7, Swap/Purchase)
3. Cemetery Deed: Deborah Hill (15/H/1/3)

Selectman Bridle MOTIONED to APPROVE the Consent Agenda, SECONDED by Selectman Barnes.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: (not heard on tape) yes. VOTE:5-0-0

VII. Appointments

1. Introduction Chief of Police David Hobbs and Deputy Chief of Police Alex Reno

TM Sullivan introduced the newly sworn in police chief and deputy chief. He noted we are in very good hands with these gentlemen.

Police Chief Hobbs offered thanks, noted his honor to be a part of the department and the community, with Hampton being a great place to work and live. He discussed his excitement with Alex's appointment, highlighting his service and leadership qualities. He discussed the goal of just getting better serving the citizens. He thanked everyone for the opportunity.

Deputy Chief of Police Alex Reno thanked the chief, noting he is an exceptional leader. He also thanked TM Sullivan, and the board and the community, noting he is humbled by the support. He noted he was excited for the challenge.

Sel. Woolsey discussed her years of working with the department and what has been accomplished.

Sel. Barnes noted being happy, and stated how long, over twenty years that she had known them both & know well, and have confidence in their ability and am happy to see these positions in the community.

Sel. Bridle congratulated both men.

Sel. Rage offered his congratulations.

Sel. Woolsey noted she liked seeing the new employees on camera for the public.

Chairman Waddell offered his congratulations.

2. Town Moderator Bob Casassa a. Deliberative Session January 30, 2021

Mr. Casassa discussed the upcoming deliberative session and its challenges. He noted it takes place on Saturday at 8:30am, at Hampton Academy. He discussed the number of warrant articles down to 23 which should help with the challenges. He noted the session will be in the gymnasium to help with maintaining social distancing. He discussed the chair arrangement, and that masks are expected, though provisions will be made for those not wearing them. He discussed those provisions. He discussed he will be doing his part to be brief and shorter and will not be reading the articles, and noted they will be on the screen and in printed form. He stressed there will be no food or coffee available. He discussed the HVAC system and that doors will be open for air flow and to dress warmly and hand sanitizer and PPE will be available. He discussed the check in process to be able to vote. He reiterated moving the meeting along as quickly as possible, and discussed that if the meeting

can not be held safely, he will recess and reschedule. He noted his confidence that it will be able to be held safely.

Sel. Barnes asked about the start time and the answer was 8:30am.

Chairman Waddell asked if anyone has any questions can they contact Mr. Casassa and he answered, sure, by email or phone, 603-926-6336.

TM Sullivan noted two documents regarding rules for the session day and those along with the articles are on the website.

3. Skip Sullivan, Chairman Solid Waste Committee
 - a. Committee update/Recommendation

Mr. Sullivan discussed that at their December meeting, they voted to bring an idea regarding the weight of recycle material to the board. He discussed removing cardboard and glass from the recycle stream, noting that DPW is on board, as well as the beach community. He noted DPW working on the logistics of such a program, with two locations and separate containers for cardboard and glass. He reiterated removing the weight from the recycle stream. He asked the board's support for the program. He noted his hope this will start with beach businesses but will spread to all businesses, but noted residential would be somewhere down the road. He discussed the increase in cardboard with the pandemic and that there is a market for it.

Sel. Woolsey noted we should not be picking up commercial waste, and discussed the state park. She discussed residents not happy to drive to the transfer station with glass and cardboard and asked about barrels elsewhere. Mr. Sullivan reiterated this program would concentrate on businesses at the beach to start, and it would be a long time before homeowners assimilate to sorting.

Sel. Barnes noted speaking to Mr. Moran about this and it is a great idea. She noted some residents may want to go to the transfer station and the leaders at the beach will do a good job. She discussed this used to be done and Mr. Sullivan noted hauling costs will go down.

Sel. Rage noted he thinks it is great, noted the Casino and others going to cans only, liquor bottles would make a difference and suggested retail not selling beer in glass bottles. He noted Dave Hartnett's establishment being glass free and perhaps others could. He noted he would like to see not just the beach, but all businesses doing this.

Sel. Bridle noted a great idea, we can do it at the beach, but also uptown. He discussed once people see a difference, more will start the sorting process.

Chairman Bridle noted a good job with the committee and the recommendation, and agreed that people will eventually do it, and referenced Massachusetts making money because some of their residents do.

4. Kristi Pulliam
 - a. End of year financial report

Ms. Pulliam noted she was giving a preview of where we are right now, and referenced a summary sheet the board had been given. She noted later this week they will be receiving the end of year purchase order list. She discussed being approximately \$875,000.00 underspent and best guess after final purchases, \$800,000.00. She highlighted the different

areas the savings came from, some departments, personnel administration, insurance, and municipal debt. She noted she will hopefully be back next week.

Sel. Woolsey noted this was very helpful.

Sel. Barnes noted excellent work.

Sel. Bridle noted great job.

Sel. Rage noted great job.

Chairman Waddell noted the savings in snow removal and asked if some was due to keeping spending low. TM Sullivan reiterated putting the brakes on spending and all the other things that came into play. Ms. Pulliam discussed police and fire being overspent, that expectation, and the CaresAct and FEMA money received.

VIII. Town Manager's Report

1. TM Sullivan gave an update on the most recent Covid19 numbers for the state and town of Hampton.
2. Aquarion has requested to come in to give a quarterly report and they have been scheduled for Feb. 22nd.
3. There have been a number of zoom meetings regarding the school funding issue with communities involved. Portsmouth has taken the lead on this and tonight will be addressing the documents to form the group to monitor and advocate. The study on education, adequacy and funding, has been done, and there is legislation with regard to the funding, that needs close attention. I will be back next week for a decision on joining the group with the cost involved as our share.
4. With regard to the letter to Aquarion and Atty. Gearreald finding the approved WICA charges, the letter has not been sent and looking for any further direction.

Sel. Woolsey asked if there is any statewide publication regarding the vaccine and appointments. TM Sullivan discussed the online portal to set up your appointment, noting if assistance needed they can call 2-1-1, and we may look to find a program for assistance, also their physician. There was general discussion on appointments being scheduled for March.

Sel. Bridle noted the governor discussing appointments schedule per allotment and if we get more, times may be moved up. He noted portable sites are being looked at. There was general discussion that there is a listing of sites on the state website. TM Sullivan cautioned all to be aware of scam emails and to check the address and call 2-1-1 if there is any question.

Sel. Barnes discussed the school funding issue and having to hire a lobbyist, and asked where are our legislators. She discussed that everything is about money. She noted sessions in Concord are being done remotely, with no public access, and the numerous amount of things that need to be addressed by our legislators. She reiterated the problem the elderly, who do not have computers, are having with vaccine registration, with nothing being published. She noted voting legislation that no one is coming in to discuss. She discussed the Aquarion letter issue, noting the WICA charge, and if they can raise the hydrant rate with that, what is the sense of having a rate case. She noted a 25% increase in Aquarion rates and she would like to not do anything until we can discuss with them when they come in on the 22nd.

Chairman Waddell noted he did not have a request for the legislators to come before the board.

Sel. Rage asked how the cost for lobbyists is split up. TM Sullivan notes it was based on value.

Sel. Bridle noted talking with the same lady as Sel. Woolsey and Sel. Barnes, and he talked with Sen. Sherman and got some information and passed along to her.

TM Sullivan noted a vote needed to rescind letter.

Selectman Bridle MOTIONED to APPROVE RECINDING the Letter to Aquarion regarding Hydrant Charges, SECONDED by Selectman Barnes.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

IX. Old Business

1. 2021 Warrant Articles: Motions to move and second at Deliberative Session

TM Sullivan offered the list of warrant articles and the BOS set the schedule of motions and seconds for each one.

2. Cable Renewal Advisory Committee update

Chairman Waddell noted some confusion and Atty. Gearreald is on the phone to discuss the negotiation and letter for extension. He noted the March 5th, 2020 meeting never took place.

Atty. Gearreald discussed the dates of the first franchise, with an extension of an additional three years, bringing it to 2/3/21. He noted we have held off on negotiations due to the August of 2019 FCC regulatory change not favorable to municipalities, still subject to a federal court case, waiting until after the election, and the second reason, the outside council hired becoming seriously ill, but we have rehired the attorney from the previous contract negotiation. He discussed Comcast offering a six-month extension, when he recommends and asked for motion.

Selectman Woolsey MOTIONED to APPROVE the SIGNING of the Six Month Extension of the existing Cable Franchise Agreement with Comcast, and to Engage specialized outside council services of KATHRYN MILLER, of Donahue, Tucker, and Ciandella, to conduct negotiations on the town's behalf, SECONDED by Chairman Waddell.

Sel. Barnes noted understanding the issue of the FCC regulatory change, but that was 2019 and she became a selectman in 2016 and there were Comcast issues then, noting she believes putting this off another six months is procrastination. She discussed the chairman noting they will work on senior discounts. She referenced the extension page discussed by Ms. Donnelly and that it states the town of Greenland. She noted she will not be approving and that we need a Comcast representative in before the board. She discussed not taking any action after the public hearing and she is opposed to a lawyer preventing the board from action.

Sel. Bridle asked if anything prohibits the extension and still have Comcast come in. Chairman Waddell noted that it would be a negotiation going on with someone in for a public

meeting, also noting, you need an expert to negotiate and nothing says we can't finish negotiating during extension.

Sel. Rage noted not liking the extension but understands we have to.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: no, Chairman Waddell: yes. VOTE: 4-1-0

Selectman Barnes MOTIONED to INVITE the State Delegation in to a February Meeting to Discuss current proposed legislation and how it effects Hampton, SECONDED by Selectman Woolsey.

Chairman Waddell noted a motion not needed, he will do it.

Sel. Rage noted they can do by phone and consensus agreed.

X. New Business

1. McCarron Drive Bond Release of \$280,555 and reduction to 10% of original (\$54,860)

Sel. Bridle asked if we did this last week, and noted last week was Loy.

TM Sullivan noted this is the same situation.

Selectman Bridle MOTIONED to APPROVE the McCarron Drive Bond Release of \$280,555 and reduction to 10% of original (\$54,860), SECONDED by Selectman Woolsey.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

Sel. Barnes discussed an EPA press release regarding PFOA and PFAS in drinking water, they continue to work on and review, and there is opportunity for public comment at EPA.gov.

XI. Closing Comments - None

At 20:20 PM on MOTION made by Selectman Bridle, SECONDED Selectman Woolsey, the Board voted unanimously by roll call vote (5-0) to go into a non-public session under RSA 91-A:3, II (a) [personnel] (c) [reputation].

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE:5-0-0

PRESENT: Jim Waddell, Chairman
Regina Barnes, Vice-chairman
Mary-Louise Woolsey, Selectman
Rusty Bridle, Selectman
Chuck Rage, Selectman
James B. Sullivan, Town Manager
Mark Gearreald, Town Attorney (by phone)

[The Minutes were sealed by roll call vote once the Board returned to its public session]

At 20:42 PM, a MOTION was made by Selectman Bridle, SECONDED by Selectman Barnes to leave the non-public session, which was approved unanimously (5-0) by roll call vote.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

At approximately 20:42 PM, back in public session, Selectman Bridle MOTIONED, SECONDED by Selectman Rage, to seal the minutes of the non-public session on the basis that disclosure of the minutes could jeopardize the actions to be taken or render the proposed action ineffective, which was approved unanimously (5-0) by roll call vote.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

XII. Adjournment

At 20:42 PM, Selectman Bridle MOTIONED to adjourn, SECONDED by Selectman Barnes, which was passed unanimously by roll call vote.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: yes, Sel. Barnes: yes, Chairman Waddell: yes. VOTE: 5-0-0

James Waddell, Chairman