

Note: Draft minutes are subject to corrections, additions and deletions.

March 22, 2021

7:00 PM Board of Selectmen - Hybrid 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 Bridle asked each member state their presence and location.

Sel. Rage, present, Selectmen's Meeting Room

Chairman Bridle, present, Selectmen's Meeting Room

Sel. Sawyer, present, Selectmen's Meeting Room

Sel. Barnes, present, at home and alone

Sel. Waddell, present, Selectmen's Meeting Room

Town Manager Jamie Sullivan, present Selectmen's Meeting Room

#### II. Public Comment [Time limitation of three (3) minutes per caller]

Brian Ursitz, 224 Cate St. Portsmouth, discussed that with Covid, there is the importance of access to the beach, noting for people and businesses. He discussed the need for more parking and for more people to enjoy our coastal resources and noted all the benefits.

Paul ? asked if the boardwalk will be going back to normal and TM Sullivan noted the recommendations of going back to the normal traffic pattern.

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Lynn Lock?, ? Ocean Blvd noted the public hearing on resident parking and that she lives on Ocean Blvd. She discussed appreciating resident parking and would hate to see it go away.

Jim Kelly, ? Ocean Blvd., discussed no coordination with the communities of Portsmouth, Seabrook, and Rye last year, with regard to resident parking. He noted hoping those communities are also open to everyone else so there is not a bottleneck in Hampton. He thanked the selectmen for their hard work.

### III. RSA 41:14-a Second Hearing

1. 141 King's Hwy Map 183, Lot 25. The petitioner seeks to modify Deed Restriction #3 to allow installation of a fence on the North and South Boundary lines of the property greater than 3 feet.

Rick Middleton, the petitioner, noted wanting his fence higher for his dog, and for aesthetics, to be the same as what is there.

Public hearing closed at 19:10.

### IV. Public Hearing

1. Resident Parking Only on the Town roads "Main Beach and North Shore"

Melanie Roy, 44 Glade Path, discussed she would appreciate resident only parking on Glade Path, and noted others are not respectful.

Sel. Sawyer asked if the hearing was limited to Hampton residents. Chairman Bridle noted they are looking to hear from Hampton residents and property owners.

Alex Loiseau, 395 Ocean Blvd., noted he is resident and business owner, he discussed resident parking worked well last season. He noted neighborhoods have different needs, and discussed renters using street parking for visitors and family. He discussed the limited parking options at the main beach. He discussed that if resident only parking is in place, he would like a placard or pass for property owners to have parking options for renters and visitors and family. He noted their contribution to the summer local economy.

Ed and Sue McGrath, 51 Hobson Ave., noted they would like it kept to resident only, and discussed their street particulars and signage. Ms. McGrath noted the trash others leave. She thanked selectmen for their hard work and noted the placard system is a good idea.

Gail ? discussed owning cottages, noting there is no driveway and the need to park on the road. She noted it needs to stay as resident only for taxpayers and property owners.

Paul Morin, 6 N Street, noted he is for resident parking on the side streets. He discussed the ordinance needing tightening up, noting stickers should be numbered. He noted being on the solid waste committee and that people with stickers can now go to the transfer station, and that process should be looked at carefully.

TM Sullivan commented that the stickers are not numbered but they do have the license plate of the vehicle they belong to on them.

Carolyn Fluke, 27 Diane Lane, suggested resident parking only, noting the fire lane on her street. She noted not wanting to bother police in the summer for towing and tickets.

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Richard Cavallaro, 9B Ocean Blvd., discussed the lack of consistency in enforcing resident only parking, noting the frustration and out of state plates. TM Sullivan reiterated property owners may be out of state but can get stickers.

Greg Grady, 120 Kings Highway, noted being in favor of resident parking, and discussed more residents using the beach during Covid and attributing it to the available parking. He noted traveling and resident parking being the norm. He discussed summer revenue and locals respecting property.

Mark Olgilvie, 55 Hobson Ave., noting family cottage of over 50 years. He echoed the prior sentiments of resident parking only, noting a placard system.

Tom Minior, 18 Concord Ave., noting resident for 38 years. He discussed Concord Ave being problematic for parking. He noted last summer with resident only parking, it was the best ever. He noted children playing in the area.

Constance Layma, 887 Ocean Blvd. She discussed huge trucks trying to negotiate side streets. She asked about the width of side streets. She noted agreeing with resident parking and the people with stickers that were much more polite. She discussed trucks leaving lights on and sideswiping. She noted the police were excellent and reiterated all side streets should be resident only.

Chairman Bridle noted the state and police dept. are working on the truck issue.

Gayle Deminico, 11 P Street, noted property in family for 78 years. She noted wanting to continue with resident parking only.

Geraldine Bresnihan, 955 Ocean Blvd., discussed last summer's parking, noting being fortunate, and shutting down parking to those wanting to visit is difficult.

Lisa Wilkerson, 56 Hobson Ave., reiterated the benefits of residential parking and the good idea of placards.

Wit Hansen, 98 Locke Rd, noted being in support of resident parking and it helping residents utilize the beach more in peak times.

Ed Brackett, 9 Fellows Ave., discussed last summer was much safer with the resident only parking, and noted another option should be sought for tourists.

Claire Libby, 302 Mill Road, noted she supports resident only parking. She asked about the legality of having a vehicle towed if they are blocking a driveway.

Chairman Bridle and Sel. Sawyer discussed if a vehicle is blocking, to call the police.

Tom McGuirk, 95 Ocean Blvd., noted he is in favor of resident parking, and discussed the need for better signage. He discussed the rightful property owner being able to get the stickers, and noted an issue with a plow truck parked on J Street. He noted business owners parking vans to use as storage.

Deb Parlee, 27 L Street, noting family owning for over 50 years and places that they parked that were taken away and mentioned blocked driveways are not just seasonal. She noted hoping resident parking continues.

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Paul and Judy Conway, 36 Reddington Landing, noted being business owners at the beach and in favor of resident only parking and reiterated better signage needed. He noted tourists usually expect paying for parking.

Jacqueline (Barrett?), 74 Brown Ave., discussed the issue of not getting a sticker as property is in parents' name, but she and siblings pay the taxes and utilities, and reiterated the parking and blocked driveway issues. TM Sullivan directed her to his office for assistance.

Mark Tosiano, 13 Wingate Street, asked what the town is proposing. He noted his concern would be any reduction in parking at the north beach and near the tower at south beach. TM Sullivan noted taking comments on town street parking and whether to make it resident only as last summer. They discussed the changes for streets and the lots.

Skye Gaudette, 10 Johnson Ave., commented that the police have been great. She noted agreeing with the resident only parking and the placard idea, highlighting the renter issue. She discussed signage for dead end streets, and noted the difficulty for emergency vehicles to get down the streets. She discussed the streets that flood, and where to park when they do.

Dan Cerullo?, 83 Ocean Blvd., asked about the side streets without meters and can you park there. TM Sullivan reiterated what tonight's public hearing is about. Dan discussed the noise levels of cars and motorcycles, and crosswalks. TM Sullivan welcomed him to Hampton and discussed the crosswalk situation. Dan noted there should be police presence.

Eileen Daboul?, 10 Harris Ave., commented on how wonderful last year was with resident parking, hoping that change could be permanent.

Joanne Doyer, 28 King's Highway, reiterated support for resident only parking and discussed trailers parked in front of her house. She agreed with the placard system.

Mildred Saldi, 3 12<sup>th</sup> Street, discussed last summer was wonderful with resident parking and it was wonderful for uptown residents to have a place to park when coming down. She discussed Hampton surfers parking, and parking along the wall for non-residents. She noted she hopes resident parking continues this year.

Sarah Elliot, 975 Ocean Blvd., noted last summer was wonderful and she appreciated having a place to park, but noted changes need to be looked at, and equitable access is important. She noted a slippery slope prohibiting access to the ocean. She suggested maybe every other street or something more equitable. She discussed other towns limiting access. She asked the board to denounce racist and bigoted behavior and asked Sel. Barnes to resign.

Marleen White, 19 Wall Street, she asked if Wall Street would be part of the resident only parking, noting no signs. TM Sullivan noted it is a private way and the Board has no authority. They discussed road signage, and her road is private.

Michelle Milliken?, 6 Ashworth, noted she liked the idea of resident parking and placards, and asked about side roads and valet parking on Nudd. Sel. Sawyer noted those spots are not owned by the Ashworth and discussed some timed loading zone parking. They discussed multiple cars being there and Sel. Sawyer recommended she call the police when she sees them.

Crystal Sexton, 17 Carolyn Ave., noted her concern regarding equitable access to the beach, and referenced a previous caller and Rye. She noted not having trouble finding a spot at

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north beach most times she goes. She noted understanding issues and that there is public parking.

Sue ?, Ocean Blvd., noted appreciating all everyone does for the town, and noted being in favor of resident parking, and referenced surrounding towns, and noted 1A available for out of town non-residents. She noted not wanting to be in competition for parking spaces.

Bill Cross, 31 Hobson Ave., offered kudos to the police department. He discussed that as a deterrent, he would like to see the parking fine cost increased.

Norma Collins, 6 James Street, thanked the new members of the Board, and noted the comments this evening has been wonderful and enlightening and she noted understanding both sides. She asked about a plan to use school buses for shuttles. TM Sullivan noted there is discussion but nothing concrete on that plan. Sel. Sawyer noted that has been discussed many years but has never taken off. She asked where the parking restrictions would end. Sel. Sawyer discussed last year going to Huckleberry and to Nor 'East Lane.

Joe Lebowski, 19 Taylor River Estates, noted he is an electrical contractor in town and his company has customers at the beach. He noted his employees getting tickets because they do not have stickers and asked if a solution could be worked out. He discussed an issue today with cars with Ma. plates making noise. Sel. Sawyer asked what the police response was when he called. Mr. Lebowski noted too little too late, they can't get there on time, but nothing against them. He reiterated the ticketing problem.

Kimberly Horsman, 20 N Street, she reiterated supporting resident parking, noting it typical to expect to pay for parking in beach towns in New England. She discussed people leaving the bars at 2:30 am and the noise for residents. She noted the residents of Hampton who don't live near the beach being able to park and enjoy the beach. She discussed the idea of the school buses being a super idea to divert traffic, and noted the challenge of having visitors in the summer. She reiterated keeping the side streets residential.

Lynn Gallipo, 893 Ocean Blvd., she asked about parking rules across the street, are they Hampton or the state. Sel. Sawyer discussed that is the state parks, and it was a collaborative effort due to Covid last summer to close at 8pm. He discussed Mr. Bryce stating last week they are going back to pre- Covid regulations so there will not be an 8pm curfew.

There was general discussion on going to the Board, the Chief, and addressing the public during a public hearing.

Sel. Waddell noted he would like to hear from the Chief.

Chief Hobbs noted a lot of good comments from both sides. He noted it is the Board's pleasure for what they do, and asked if they do the resident parking, that they do the signage properly. He discussed last year working, but with challenges.

Sel. Waddell noted the best public hearing he has ever been to. He noted the majority wanting the resident parking, but also agreed with the equitable access to the beach. He noted being the same all over town. He referenced a caller's comments on placards and rentals. He discussed North beach being a pain at night and we will need to address.

Sel. Rage discussed that the issue on Rt. 1A might be less when they start charging. He discussed his emails and calls and 98% wanting the resident parking. He noted cottages and rentals with no parking. He discussed sidewalks. He noted we need to talk about the

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employee parking that was a success last year. He discussed possible 15-minute parking or loading zones for businesses. There was general discussion on some done last year. He discussed North beach and commented last year was half parking and this year will be 100%. He mentioned possibly opening up more spots in the town lots.

Sel. Sawyer noted last year difficult but this was a better thing that occurred. He noted the majority of calls for it. He discussed Mr. Loiseau's idea of placards and referenced Seabrook's policy.

Sel. Barnes noted Mr. Loiseau's comments and placards for businesses and rentals, and also need consideration for visitors. She noted the comment about the electrical business, and what if workers aren't residents. She noted her concern about the surfers, and we need to think about not alienating them. She discussed resident only streets and opening up more spots in the lots, and Winnacunnet, High, and King's Highway will need to be resident only or they will be jam packed. She discussed the parking problem used to be the main beach and everything has drifted north. She reiterated the visitor issue. She asked about not just short-term summer, but, will this be year round. She commented she could see the main beach, but resident only parking at the north beach may hurt us in the long run.

Chairman Bridle noted the employee parking from last year, and TM Sullivan noted they authorized that last week and it is being implemented. He asked about contractors working at the beach. Sel. Sawyer noted the unwritten rule of not ticketing workers and if they were, the appeal process. Chairman Bridle reiterated we can't regulate private ways. Sel. Sawyer noted the only thing we regulate is the fire lane and emergency lanes. Chairman Bridle commented on using the electric signs if we do the resident parking. TM Sullivan noted the signage issue and the cost involved in doing it properly, as well as the time it will take. They discussed and noted a notice period for people to understand. Chairman Bridle noted vehicles that are parked long term and asked if we have a mechanism to enforce. Sel. Sawyer noted that class of road is 24-hours, and then we can ticket and tow, and he discussed setting precedent for others who park on the street. Chairman Bridle noted businesses that have 15-minute parking, and there should be some mechanism for that. Sel. Sawyer discussed the Board has authority over the roads and if someone came for permission to do that, the Board could vote.

Public Hearing closed at 8:34.

Sel. Waddell commented not to jump right on it, they need to plan it out.

TM Sullivan suggested they direct him, the Chief and DPW to work out a plan and ideas to come back to the Board.

Sel. Barnes asked who would be enforcing the resident parking, the two "Bobs" (employees) we have now? TM Sullivan noted enforcement a big part of any idea put out. He noted the Chief stated they are hiring, and noted that would be a part of the plan.

Sel. Rage noted sooner rather than later, and commented the two Bobs were great.

Chairman Bridle noted to come back with a plan including costs.

## V. Announcements and Community Calendar

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Sel. Sawyer announced the passing of Off. Brandon Whitehead's father and offered condolences.

Sel. Barnes announced an update from Rep. Emerick, that on Mar. 17<sup>th</sup>, the finance division unfunded the Housing Appeals Board. She noted her enthusiasm regarding that.

## VI. Approval of Minutes

### 1. March 8, 2021

Selectman Waddell MOTIONED to APPROVE the Minutes of March 8, 2021, SECONDED by Selectman Rage.

Roll call vote: Sel. Rage: yes, Sel. Waddell: yes, Sel. Sawyer: abstain, Sel. Barnes: yes, Sel. Bridle: yes. VOTE: 4-0-1

## VII. Consent Agenda

### 1. Donations to Parks and Recreation: Hampton Police Association (\$250), Hampton Rod & Gun Club (\$100), JT Strong Memorial Fund (\$500)

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

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

## VIII. Appointments

### 1. Ed Tinker, MRI Contract Assessor

#### a. 2020 Abatements

Mr. Tinker discussed three abatement recommendations. He noted one is a state parking space and the other two are the last two residential for 2020 and he recommended for denial.

Sel. Barnes asked the amount and Mr. Tinker note \$611, but not a refund, just bookkeeping.

Selectman Barnes MOTIONED to APPROVE the Recommendations of the Tax Assessor regarding the 2020 Abatements, SCONDED by Selectman Waddell.

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

### 2. David Hobbs, Police Chief & Alex Reno, Deputy Chief

#### a. Departmental Update

Chief Hobbs noted this was the 2020 end of year report and they should all have a copy. He discussed staffing levels, James Aham's retirement, and three new full time officers and noted promotions. He noted the summer corporals being Det. DeMarco and Off. Keyser, and noted their unique 2020 challenges. He discussed the changes in part time positions and discussed civilian personnel changes and promotions. He discussed training and recruitment and noted the changes and cancellations due to Covid, and noted doing inhouse training. He discussed the recruitment challenges.

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He discussed drug overdose deaths decrease, and Hampton's 2020 drug overdose investigations also at a decrease. He discussed opioids and the struggle and the regional task force. He discussed the amount of people in recovery, a slight decline, but a great need to get people the resources they need. He noted Hampton Police able to assist those in need.

He discussed Covid19 and its challenges and tasks the department needed to take on. He noted the hard work of the department helped meet those challenges, noting the remarkable support from the community. He thanked Hampton Fire and Rescue and Hampton DPW for their support and cooperation. He thanked NHDOT and NH State Parks, NH State Police and NH local law enforcement partners.

He discussed and compared the 2020 activities to 2019 by percentages, noting calls for service, etc.

Sel. Waddell thanked the Chief for the report, a great job as always, noting crowd control, overall super job.

Sel. Rage noted good numbers, and noted this time of year tough. He wished the Chief luck and hopes he gets the help.

Sel. Sawyer noted good, and highlighted the traffic stops down, but DWI's are up.

Sel. Barnes thanked him for the report and the police doing a great job. She commented hoping for a smooth summer 2021 for the entire town.

Chairman Bridle noted they do a great job and make the town proud as do all departments.

Chief Hobbs reiterated they are taking applications.

#### b. Outside Entertainment

The Chief commented he wanted to address their concerns regarding this. He noted that last year there was an increase in complaints of noise levels, noting outside dining brought outside entertainment. He noted looking for a better balance for 2021, noting seeking a reasonable solution while addressing the needs and concerns of the residents. He noted this year's outdoor dining permit change in language. He discussed enforcement issues over the years, noting hours restricted, and voluntary compliance, but will be more enforced this year. He discussed noise level and the decibels and the procedure for reading. He discussed not seeing the levels and how difficult to enforce. He discussed noise level standards moving forward. He discussed a proposal to work with businesses to come up with a reasonable solution and noted his confidence in that working.

TM Sullivan discussed the temporary outdoor dining permit and the changes and asked for approval. He recommended it beginning immediately, and noted the tools for enforcement. He asked the Board to approve.

Sel. Rage asked what is the enforcement? TM Sullivan noted revoking the permit, and a hearing before the Board.

Selectman Waddell MOTIONED to APPROVE the Temporary Outdoor Dining Permit, SECONDED by Selectman Sawyer.

Sel. Waddell noted thinking the permit is great and noted this is helping the businesses and they should self-police. He noted the enforcement part is great.

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Sel. Rage noted neighbors need to respect neighbors, and the enforcement part is great, and noted the owner must be held accountable, noting it is business zoned, but they must follow the rules.

Sel. Sawyer discussed last summer's concerns, and how rushed it was, and doing a good job, but we need to take the time now and do it properly.

Sel. Barnes noted appreciating the Chief's comments on enforcement and decibel levels. She noted the time restrictions and enforcement, and reiterated it being zoned for business. She noted being fine with the motion as long as it is the 3-page temporary permit.

Chairman Bridle noted the temporary permit done with the reopening guidelines and what happens if the governor pulls everything. TM Sullivan noted this is tied to the safer at home reopening guidance. Chairman Bridle noted the expense of the business and they should be able to continue. TM Sullivan agreed, but we have no control over.

Sel. Barnes noted she didn't understand as it is on their property and we allow it as a community. TM Sullivan discussed the zoning aspect and this is an expansion of their original approvals. She asked about the safer at home and if they have to abide and the answer was yes. She noted it says 6 feet, but now they are talking about 3 feet. TM Sullivan noted they have to abide what is in there or what is amended. She noted it says small group bands, 3 performers or fewer and asked what it means. They discussed the particulars of what is allowed.

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

Dep. Chief Reno discussed a couple things, noting it is never a bother to the police for you to contact them with any concern. He discussed a car club incident a couple of weeks ago, checking it out immediately and calling on state police for assistance. He noted the increase in motor vehicle stops on Ocean Blvd this month to address the issues. He encouraged the community to reach out.

Chief Hobbs discussed a small ceremony held earlier to honor officers, with three life saving awards and one meritorious commendation. He noted this from a Feb. mental health crisis. The deputy read some of the citations for the awards for Justin LeDuc, Stephen Champey, Andrew Jowett and Timothy Hamlen. The Chief noted sharing to help people see the work the Hampton police do, and to recognize what one person going through a difficult time can lead to and we never really know what someone is going through. He encouraged all to check on each other and support one another.

3. Mark Gearreald, Town Attorney
  - a. Street Performers

Atty. Gearreald addressed the performers who showed up during the Ocean Blvd. closure last summer. He noted the Board wanted him to look into issues and authority. He discussed certain authorities and some dating back a long time. He noted Hampton Beach unique due to a large portion of state property including sidewalks. He noted Mr. Bryce last week discussing permits for performers and them to be on the stage. He noted the NHDOT regulating the west side.

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He discussed regulating street performers, such as buskers, noting that like panhandlers, they have first amendment rights, what can be regulated, and that regulating content could be a supreme court decision problem. He noted civil rights lawsuits, and noted if the benefits of an ordinance outweigh the potential cost. He noted the traffic pattern going back to pre-Covid and the traffic will now be where the performers were last year. He noted looking for Board direction and having guidelines from Portsmouth, and the Chamber of Commerce of Concord.

Sel. Waddell noted we want to control it, noting the west side, and with the guidelines presented we really need to take action.

Sel. Rage noted someone already there playing drums and we need to come up with a plan.

Sel. Sawyer noted being very, very, cautious. He discussed he has done research, noting lawsuits against the government usually prevail. He noted liability, and as for regulation, agreed that last summer was an abnormality, noting not a big issue before Covid. He noted disagreeing with the state park on their regulation, and referenced freedom of speech versus a regulation. He reiterated treading lightly and there are laws in place and noted blocking sidewalks. He discussed a prior Hampton case. He suggested not rushing into anything and see what happens this summer.

Sel. Barnes noted agreeing with what Sel. Sawyer said. She reiterated what Dir. Bryce said about permits, and the use of the stage. She agreed we didn't have the problem till last summer and we should take it easy, and we need to see what happens.

Chairman Bridle noted his concern that one guy is already there. He referenced the guidelines from Portsmouth and Concord and noted good points, like not using amplification or drums, and he didn't see that as first amendment. Sel. Sawyer noted US District court disagrees.

Atty. Gearreald was asked about amplification or drums. He noted regardless of what we say, it is subject to challenge. He noted when discussing the west side, he would bring in DOT as well.

Sel. Barnes commented if we go back to normal as much as we can and there are still some limitations on restaurants, noted we will have lines on sidewalks with people waiting to get in, and noted there will not be any room. She reiterated the east side will be state park.

Sel. Sawyer noted part of the problem will be, regulation with state parks, state law, and a possible town ordinance, or regulation from DOT. He noted, go with the state law. He referenced discussing this with the AG's office last year, and what would be done if roadway was not closed. He noted existing decisions, and, regulating just because you don't like something, opens up a challenge. He reiterated being cautious.

Sel. Rage asked about enforcement of blocking sidewalks.

Sel. Sawyer suggested same way it has always happened, the state asking them to move and if they don't it becomes a conduct issue, and the police would be called. They discussed. Sel. Rage asked who would be sued if a suit brought and Sel. Sawyer said they sue everybody.

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Sel. Waddell asked if a business wants to do outside entertainment, they need a permit, but someone setting up on a sidewalk needs nothing and asked how is that a first amendment issue, noting it is not logical.

Sel. Sawyer reiterated his research and a similar case, noting it not logical, but again stating caution.

Chairman Bridle asked the Board's pleasure and Sel. Sawyer recommended the town attorney and police chief continue to work on it, but we wait and see.

Selectman Sawyer MOTIONED to APPROVE the town attorney and police chief continue to work on it, and we revisit in a month, SECONDED by Selectman Rage.

Sel. Rage noted he does not want this to fall away, and wants to know more, especially if other towns do. He noted people talk to him every day about it.

Sel. Sawyer suggested talking to Portsmouth PD. TM Sullivan noted Portsmouth states it is guidance.

Sel. Waddell noted wanting specifics in the months' time. He noted he thinks they will show up.

Chairman Bridle noted even if there is just a guidance, they will have something.

A vote was not taken, consensus was to revisit in one month with more information.

#### IX. Town Manager's Report

1. Went over the most recent Covid numbers for the state and town of Hampton.
2. This weekend the fire dept. held a vaccine clinic for group 2A, teachers and childcare workers and it went very well.
3. Today, phase 2B opened up with a few challenges early on, but have been resolved.
4. We received notice that our equalization ratio has dipped, noting not much for sale in town and if so, it goes quick. There is the possibility of a new revaluation needed sooner than expected.
5. Ms. Frongillo, the assessing clerk, has accepted a position with the town clerk.
6. The Leased Land Real Estate Commission will have an opening coming up and the Board will need to appoint someone. Anyone interested should send something to my office.
7. The fire study personnel will be in town April 13<sup>th</sup> and 14<sup>th</sup> to begin meetings.
8. The budget committee will meet tomorrow night at 7:30pm.
9. Channel 22 will be doing an upgrade on Weds. the 24<sup>th</sup> of some of their software. It may affect programming.
10. HB111, is a bill regarding qualified immunity. There was discussion of getting rid of all immunity which would impact municipalities in the "good faith doctrine", or, doing the right thing for the right reason and being protected. I have emailed all state legislators regarding such.

Sel. Barnes asked about state parking spaces that are leased, and do we collect taxes on them. There was general discussion and Atty. Gearreald noted yes, it is a form of property interest.

#### X. Old Business

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Sel. Waddell noted inquiries on the ethics committee warrant article. He suggested setting up a committee to take a look at it, as it exists. Chairman Bridle asked what he thought, and the answer was someone to head up and get some volunteers. TM Sullivan noted it was initially brought by Mr. Welch. TM Sullivan noted a goal statement needed.

Sel. Sawyer clarified the committee would be looking at the documentation and Sel. Waddell agreed.

Sel. Barnes noted the town attorney has discussed what needs to be done with the ordinance, and she has asked several times, why do we even have it, and town council explained months ago. She noted a change to be required would have to go to town meeting and establishing a committee to look at it is a waste of time. She noted the election process if someone is not happy with an elected official.

Selectman Waddell MOTIONED to APPROVE Setting Up a Committee to look at the ethics policy, not to oversee anyone, SECONDED by Selectman Sawyer.

TM Sullivan asked who will be on the committee.

Sel. Sawyer suggest five voting committee members with the town manager overseeing and the town attorney on. Sel. Waddell agreed.

TM Sullivan asked if anyone interested to reach out to his office.

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

Sel. Barnes asked the town manager if he had a chance to reach out to Ex. Council Stevens. He answered he has emailed with a number of dates, and they will be setting up.

## XI. New Business

### 1. USS Virginia Committee term extension

TM Sullivan discussed the request from the committee due to their stay being extended, and he read the names of the committee.

Chairman Bridle MOTIONED to APPROVE the USS Virginia Committee term extension for two years, SECONDED by Selectman Sawyer.

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

### 2. Capital Improvement Program Committee BoS Representative

Selectmen's Representative

MOTIONED by Selectman Sawyer to nominate Selectman Barnes as the Selectmen's Representative SECONDED by Selectman Rage.

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

Atty. Gearreald gave an update of the 2020 rate case of Aquarion. He discussed the filing on Dec. 18<sup>th</sup> of 2020, the first in 8 years. He highlighted an 18% increase in water rates, among other things, as well as \$134,000.00 increase in hydrant charges for Hampton. He noted the

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Board authorizing him to file petition to intervene, which was filed timely. He noted the same for a statement of position. He stated there was a prehearing conference on March 10<sup>th</sup>, and the Board granted our petition to intervene, as well as North Hampton's. He noted a technical session with a schedule put forward over a year's period of time.

## XII. Closing Comments- None

Chairman Bridle thanked Channel 22 and the 38 people who called in and spoke at tonight's public hearing.

At 22:02 PM, Selectman Waddell MOTIONED to go into a non-public session under RSA 91-A:3, II, (a) [personnel], (c) [reputation], and (e) [litigation], SECONDED by Selectman Barnes, which was passed unanimously by roll call vote.

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

PRESENT: Rusty Bridle, Chairman  
Chuck Rage, Vice-chairman  
Regina Barnes, Selectman (by phone)  
Jim Waddell, Selectman  
Richard Sawyer, Selectman  
Jamie Sullivan, Town Manager  
Mark Gearreald, Town Attorney

Sealed Minutes:

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

At 22:18 PM, a MOTION was made by Selectman Waddell, SECONDED by Vice-Chairman Rage to leave the non-public session, which was approved unanimously (5-0) by roll call vote.

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

At approximately 22:19 PM, back in public session, Chairman Bridle MOTIONED, SECONDED by Vice-chairman Rage, to seal the minutes of the non-public session under RSA 91-A:3, III on the basis that disclosure of the minutes could adversely affect the reputation of any person, other than a member of the Board, or 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: Vice-chairman Rage: yes, Chairman Bridle: yes, Sel. Sawyer: yes, Sel. Barnes: yes, Sel. Waddell: yes. VOTE: 5-0-0

## XIII. Adjournment

At 22:19 PM, Selectman Waddell MOTIONED to adjourn, SECONDED by Vice-chairman Rage, which was passed unanimously by roll call vote.

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

Note: Draft minutes are subject to corrections, additions and deletions.

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Russell Bridle, Chairman