

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

July 13, 2020

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 toll free **1-857-444-0744** and use the code **156034**. If anybody has a problem, please call **603-929-5805**.

Would each member states their presence:

Sel. Rage, 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

Jamie Sullivan, Town Manager, Selectmen's Meeting Room

Chief Sawyer, Selectmen's Meeting Room

Chairman Jim Waddell, called for pledge of allegiance:

SALUTE TO THE FLAG

I. Public Comment

Chairman Waddell clarified the rules for public comments.

Molly St. Jeanne, 10 Katie Lane, she thanked all involved in the revitalization of downtown Hampton and expressed happiness in the growth of new business and foot traffic. She discussed a person disregarding traffic and parking laws in the downtown area. She noted feeling that it is devaluing tax dollars and safety. She requested of the board to increase police presence in that area on Saturdays. She discussed the police department being an asset

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

to the downtown. She noted safety issues need to be addressed now, so as to not set a precedence.

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

Chairman Waddell asked for clarification on a comment.

Ben St. Jeanne, 10 Katie Lane, he noted he was calling to support Molly St. Jeanne and her request for the additional police presence on Saturdays. He discussed first amendment rights and that those do not include endangering pedestrians and other motorists. He noted the seriousness of the situation, and discussed the person Ms. St. Jeanne commented on earlier, noting it reckless of an elected official. He discussed consequences, and supporting the downtown. He thanked the Hampton Police and all those involved in the revitalization of the downtown. He noted the actions that have been discussed are disheartening and commented that this is not politically motivated. He encouraged others to speak freely, even if in disagreement.

II. Announcements and Community Calendar

Sel. Barnes announced the notification of line painting that will be done on Lafayette Road. Town Manager Sullivan noted it was beginning Thursday night.

She noted being asked about Winnacunnet and High Streets paving and stated that Dep. Dir. Jen Hale said the only funding approved at this time is engineering and that is ongoing.

Chairman Waddell discussed the weekend weather, and thought overall it was a good weekend.

III. RSA 41:14-a Second Hearing.

1. 4 14th Street Map 183, Lot 26

Petitioner's request: Removal of Deed restriction #3: No fences may be erected upon said premises other than ornamental fences of no more than a three-foot height.

Sel. Woolsey asked if there was another hearing and the answer was yes.

Sel. Bridle commented the owners calling last week explained a lot.

Atty. Gearreald discussed making minimal changes to the original deed restriction, but reflect current times. He discussed this instance of going from three feet to four feet, noting the owners would be fine with that, and that is what he proposes.

Sel. Bridle stated that is what the people wanted.

Sel. Woolsey asked if there was a picture of the potential fence. Atty. Gearreald discussed the fence use for containing a puppy and Town Manager Sullivan stated there is not a picture.

Chairman Waddell closed the public hearing at 19:14.

The owned called and discussed the enclosure of a diagram and/or picture and noted it is a four foot picket fence and that it is contained to the back of the house, not interfering with any views.

IV. Approval of Minutes

1. June 24, 2020

Selectman Woolsey MOTIONED to APPROVE the minutes of June 24, 2020, SECONDED by Selectman Rage.

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

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

2. June 29, 2020

Selectman Woolsey MOTIONED to APPROVE the minutes of June 29, 2020, 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

V. Consent Agenda

1. 2020 Abatement: 91 Winnacunnet Road Map 176-26 Lot 91-1
2. 2020 Veterans Tax Credit Renewals: Alie/Sullivan Revocable Trust, Hepburn, P.R. Jr & N.P. Revocable Trust of 2020, Higgins, Family Revocable Trust
3. 2020 Veterans Tax Credit Renewals: Hwang, Bragg Family Trust, Smith, Family Revocable Living Trust, Maloney, Alice, Spratt, Barry J, Varney, Paul F Rev Trust & Varney, Anne M Rev Trust
4. Cemetery Deed: Peter & Shirley Benz 19/I-2/4/1-4
5. Entertainment Licenses: Board Walk Café, Finestkind Brewing, JB's Seafood, North Beach Bar, Shane's Texas Pit
6. One Day Entertainment License: James House on 08/22, 09/12, & 09/19
7. Pole Petition: 46 Ashworth Avenue
8. Raffle Permit: James House
9. Road Closure: Colonial Circle on 08/08
10. Use of Town Property: Lambert Wedding on 08/16 at Ruth Stimson Park

Sel. Barnes asked about the entertainment licenses and previous postponement. Chief Sawyer noted the postponement of renewals due to businesses being closed due to Covid19. He noted businesses now opening 50% and having entertainment.

Sel. Woolsey asked about the places listed in #5, thinking it one entity and the chief clarified they are all separate businesses.

Selectman Bridle MOTIONED to MOVE the Consent Agenda, SECONDED by Selectman Rage.

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

VI. Appointments

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

The chief discussed staffing levels, two open full time positions and not filling them until being able to assess part time officers better, but those positions have now been posted internally. He discussed summer corporals, who are summer supervisors of part time officers. He noted there are 29 part time officers with authorization for 70, with 9 being on probationary status. He commented on no summer academy and part time testing being postponed until October. He discussed communications staffing.

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

He discussed operations for the first half of 2020 noting most has been dedicated to adjusting for Covid19, noting the closure of Ocean Blvd. and new traffic pattern which is in effect until Labor Day. He discussed the effects of that plan and noted much discussion, support and criticism, and with all that, it being effective for it's intended purpose. He noted the closure being helpful with the Covid19 and the social justice issues happening. He discussed and listed all of the outside agencies that have been helpful in all of this.

He discussed call statistics for the half year to date and compared to last year at the same time, with a significant change being DWI's being down 60%, as well as parking tickets being up 208%.

Sel. Woolsey asked about four officers going to be school resource officers whenever school may open. The chief discussed what the reopening of schools may look like, and other factors, including unemployment which may all lead to an extended summer, and having to plan for that, noting additional officer shifts and/or overtime, noting all things up in the air for a least another two weeks or so. She commented on the level of part time officers and the difficulty of hiring. The chief discussed the recruiting crisis before Covid19, and trying to keep people here in Hampton. She asked about turnover in communications. The chief noted they are the first line of personnel getting the calls and visits and highlighted they are grossly underpaid and the contract they are under. They discussed the staffing report will be on the police website.

Sel. Barnes discussed wanting the police log from May 1 to July 5, wanted to see if complaints were actually called in. The town manager noted over 400 calls. The chief discussed the beginning of the virus period when it was all quiet and then things opened and things hit, and the difference in noise levels. He noted the different type of noise without the underlying traffic noise that is usually there. He discussed they can only respond if someone calls with a complaint, and noted trying to work with the businesses, and he discussed having to prioritize calls with the staff they have available. She noted people seeing fireworks set up during the day, and they both noted that is the time to call. The chief discussed the 9:00pm beach closure working to help the situation. She asked about the parking lots closing earlier and it hurting businesses. He answered they had discussed with businesses and the majority said it would not hurt, and he noted that early closure along with the beach has made the whole situation much more manageable. They discussed the governor's orders and reaching out to him to get things done. She mentioned a resident who owns a hotel and the chief noted he had spoken to her and he discussed the delivery process at the beach. She asked about the reopening task force remaining until Labor Day and he answered that is the governor's order. There was general discussion that the order remains till Labor Day, but the task force, until the work is done. There was general discussion on the M Street issue and the governor is in support.

Sel. Rage commented on the street performers and the disturbance of businesses, and asked about decibels and megaphones. The chief noted our entertainment ordinances are for establishments, and he discussed a previous decibel law suit and a standard of 80 decibels acceptable and the street performers are not going over that. He asked if they could be moved. The chief noted no authority to do that, but he is going to speak to them, and he discussed the social distancing issue, the crowd, but that people are still able to get through. He reiterated their talent, but the business issue. Chief Sawyer reiterated he will be speaking

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

to them and noted their short performances. There was general discussion on the chief asking them to move and will it be pushed to other businesses or residents.

Sel. Bridle asked if the top of O Street could be a no pickup/drop off site. The chief discussed the Uber/Lift situation, that they must be allowed, and Sel. Bridle asked about them using the parking lot. The chief discussed no authority there, discussion with DOT, and asking the governor for assistance.

Chairman Waddell reiterated and dittoed what people said about police staffing. He asked about motor vehicle stops being down 25%. There was discussion of less traffic and the traffic flow, discussing what he saw when checking for the weekend. He discussed the traffic on 101 being the easiest to manage. He asked about DWIs being down and the chief noted enforcement and fewer people making that bad choice. There was general discussion on the comparison between last year and this and closings due to the virus. He asked about accidents being down and the chief discussed people being more aware due to the traffic patterns. The town manager commented that it is difficult to hire people and to staff, but wanted to comment on the hard work and commitment of the people that are working and the great job they are doing. The chief discussed his departments exhaustion, him working Sunday night, crowd control and crowd perception of police, some applauding and some slandering. He discussed part timers stepping up, and DPW, all town employees. He noted people need to be patient, it is hard to keep up with the volume.

b. 4th of July Overview

The chief discussed the fourth, a three day weekend, with 44 arrests, which was significantly less than what they are used to. He noted the crowd volume was less, noting conduct still a problem. He discussed an altercation in the A Street block, noting arrests made, but not a protest going on. He discussed the beach closing hour is difficult and fights occur when groups leaving don't like each other. He discussed walking the boulevard with the governor, and the mostly positive reaction. He discussed a group not wanting to comply with leaving the beach, but when they did, causing issue at the roadway with blocking and taunting people, and discussing having to disperse the group, and that there was no damage to property, officers, or citizens. He noted it was unfortunate, but those things have happened before and referenced a prior incident with 300 people and officers. He talked about learning from the incidents, being proactive, and this summer being very successful with them. He noted seeing further challenges with social issues happening and with the Covid19 uncertainty.

Sel. Rage gave credit, noted it was a very good fourth of July. He discussed DPW cleaning after the fourth, the police doing great, and since the fourth, the beach doing excellent. He noted some issues but heading in the right direction. The chief discussed the fourth of July light switch, the change in things.

Sel. Bridle noted walking a lot down at the beach and the streets, and talking with people, there are some concerns, noting traffic and fireworks, but that most understand this is an unusual summer, the police, DPW, and fire departments working the plans we have put in place, and it is working.

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

Sel. Woolsey read the last paragraph of the chief's report, listing the entities that have helped. She asked who is paying all of them. The chief noted we pay the Sheriff's Dept., Epping, and Londonderry through the detail program, and the others are state paid.

Sel. Barnes reiterated the question and the chief reiterated who we are paying and noted we may be able to be reimbursed with the Covid19 grant. She discussed traffic and noted the problem with O Street, and asked why diverting that traffic is taking so long. She discussed the residents seeing the police presence and the transfer vehicle and being happy with that. She discussed the importance of cruisers at the schools and asked about revenue for that, the chief noting the warrant article. She discussed the reason Hampton is a family beach is the police presence. She discussed the burden on our major departments and can we get more help, noting the difficulty of enforcing recommendations and ordinances. She discussed people from other states visiting Hampton and other parts of the state, and the restrictions in Hampton, that are hindering people from going out. She discussed the danger of the road being closed and the people traffic there. The chief noted appreciating the disagreement about the road, but if vehicles were there as well, it would be worse and more difficult for crowd control. He further discussed dispersing crowds also being more difficult if traffic were moving through. He discussed trying to get to Labor Day with as little divisiveness as possible, and with everyone's safety. He discussed having to be prepared, especially for the percentage of those not in compliance. She asked why is it always Hampton, and the chief discussed the jurisdiction state laws, and that the local entity has the enforcement jurisdiction. He discussed all the positives of the support he receives from the state police, and discussed using the support as prudently as possible to avoid burnout, and noted other towns also asking for the same. She asked again about help for O Street. The chief discussed the speed bump and the speed bumps for 1A were suppose to go in, he will check on those. There was general discussion on the work on the island and it being talked about all the time.

Chairman Waddell commented on the fourth of July, 90% being positive and 10% being bad, with the chief noted 60 to 90 minutes of issues. He discussed other states closing back up and what NH is doing is the right thing. He noted needed to rely on the experts and that we need to keep working on O Street. He noted the chief doing a great job, the sky is not falling, NH is doing a great job and that has been proven by the low rate of infection in NH.

Sel. Woolsey reiterated being happy with the report.

Chief Sawyer commented that on the 5th of July he was able to present a flag and to honor a great Hampton citizen, Harry Bobolas.

- c. Entertainment Ordinance Violations - No discussion
- d. Purchasing Policy Waivers – Variable Message Boards
 - i. § 718-3.A. Purchase of Supplies, Materials, and Services (Bids over \$15,000)
 - ii. § 718-5.1. Policy Waivers (Best interest of the Town)

Town Manager Sullivan noted these being for the message boards to aid in the traffic and parking situation, having been discussed previously.

The chief discussed the purchase coming from the detail fund with a total cost of four units, delivered, of \$56,780.00 from Reliable of Londonderry. The units are programmable from a handheld device.

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

Selectman Rage MOTIONED to APPROVE the PURCHASE of, 4, VARIABLE MESSAGE BOARDS and the APPROVAL of Purchasing Policy Waivers § 718-3.A. & § 718-5.1. for the Variable Message Boards, SECONDED by Selectman Bridle.

Sel. Woolsey clarified these are message boards, not pedestrian signs.

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

2. Chief Sawyer, Police Department & Town Manager Sullivan
 - a. COVID-19 Update

Town Manager Sullivan gave an update on NH and Hampton Covid19 statistics. He discussed the Fema and Cares grants, and noted the prior acceptance of the DOJ grant, with the fire dept. grant still in the works. He discussed submitting to Fema about \$109,000.00, and about \$57,000.00 to the Cares Act. He discussed the public safety stipend, some additional costs due to overtime and expenses that will be submitted to the Cares Act. Chief Sawyer noted the good work being done on the numbers while he deals with operations.

Sel. Bridle asked about the Cares Act and the possibility of DPW getting some of that and the town manager noted a number of possibilities, discussed possible extension to October, noted the library and discussed the work starting at the town office building for safeguards to reopen. He discussed the hand sanitizer recall.

Sel. Barnes asked about the HHS website and the reporting breakdown, and the town manager explained the data tabs having the information. She asked about helping the state parks for two weeks and are we past that, and the answer was we are still helping, they are in the process of getting a trash truck to help with travel time. She asked about hearing that the 1A situation would continue to be every year. The town manager noted hearing that as well, but it is now only happening due to the governor's order and BOS support, and that would have to be the case for it to continue. She asked about a pedestrian sign for Winnacunnet and King's Highway and there was general discussion that we ordered extra signs, so that would be possible. She commented on an article regarding CDC testing results being contaminated.

Chief Sawyer asked to speak on parking lots. He noted the cap of pricing at \$35.00. He asked the board to consider that being \$50.00, to offset revenue loss.

Selectman Woolsey MOTIONED to APPROVE the Police and Parking Lot Personnel to Adjust Parking Lot Daily Rate Charges Up to \$50.00, SECONDED by Selectman Bridle.

Sel. Barnes discussed hearing issues of price gouging. She noted not being able to control private lots and she would not agree to more than \$50.00.

Sel. Bridle noted it is a high amount, but he has seen higher down there, and he will go along with the chief.

The town manager reiterated the Church Street lot being resident only, folks coming aren't residents, and it is a good offset.

Sel. Rage noted he thinks it is price gouging and thinks it is too much, and suggested \$40.00.

Chairman Waddell discussed agreeing with Sel. Rage, would love to get the revenue, but it is too much, and he discussed parking ticket revenue.

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

Sel. Bridle and Sel. Barnes discussed the \$40.00.

Sel. Woolsey discussed a family parking all day and the amount being reasonable.

Selectman Bridle AMENDED the MOTION to APPROVE the Police and Parking Lot Personnel to Adjust Parking Lot Daily Rate Charges Up to \$40.00, SECONDED by Selectman Barnes.

Sel. Rage noted being ok with that. The town manager noted that is an increase of \$5.00 for an 8 hour day. Sel. Rage noted the state charges \$3.00 an hour.

Roll call vote on amendment: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: no, Sel. Barnes: yes, Chairman Waddell: no. VOTE: 3-2-0

Roll call vote on motion: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: no, Sel. Barnes: yes, Chairman Waddell: no. VOTE: 3-2-0

Sel. Barnes asked about the Church street lot being resident only for the summer, and the chief answered that is his plan, for it to be residents and summer employees only. There was general discussion on tickets, and needing the sticker to park.

VII. Town Manager's Report

1. The line painting will begin on Lafayette Road, Park Ave., Landing Rd., and Cuss Ave. Bids will be come in next week for the other roads.
2. The update on Locke Road is Aquarion is doing their part, with 2 water line breaks. There have been some complaints on the rerouting of traffic, and reminds people that Locke Road is closed except to local traffic. The sewer bids have come in and are within the numbers we need.
3. High Street, the area near the cemetery, will be closed a couple of days this week for the removal of trees.
4. We have received the Waste Water Treatment permit.
5. The waste water treatment upgrade project was awarded to Penta and meetings will begin.
6. We continue to work on trash down at the beach, supporting the state operation, getting good feedback from our guys, appreciating the OT which is fully reimbursable to us.
7. The crosswalk signs have been ordered.
8. The work in ongoing at the town hall for safe distancing.

Sel. Woolsey offered the town manager a suggestion to have town council appear first on the agenda. There was general discussion, the town manager noting he is here for legal items.

Sel. Barnes noted good report, good news about the permit. She asked about dump trucks starting at 6am on Barbour Road, and the answer was we will look into it.

VIII. Old Business.

1. Solicitation Ordinance Discussion

Sel. Barnes discussed complaints from residents receiving political campaign voicemails. She noted calling a couple campaigns for phone number removals, and with it rehappening, what is their recourse. Town Manager Sullivan noted that has nothing to do with the town,

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

discussed a criminal harassment issue, and a national registry to sign up for no calls, or call the specific campaign. He discussed for door to door, residents should post their property, no trespassing, no solicitation, and a violation would warrant a call to police, and will the phone, call your phone company. Sel. Bridle noted political campaigns being exempt.

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

IX. New Business

1. Sel. Bridle discussed having signs the Planning Board would like to place on town property regarding information for the master plan.

Selectman Bridle MOTIONED to APPROVE the Planning Board to place SIGNS regarding MASTER PLAN, on town property, SECONDED by Selectman Rage.

Sel. Woolsey asked about specific dates and consensus was about a month.

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

2. 2021 Budget Development Guidance

Town Manager Sullivan asked the board for guidance for him with regard to developing the budget for 2021. He discussed his thought of a lean budget and the good place we are in right now, but noted concern for the second half of the year.

Sel. Bridle noted he thinks that is a good plan, as lean as possible.

Sel. Woolsey noted wanting to work on Public Works.

Sel. Rage agreed with Sel. Bridle.

Sel. Barnes agreed we need to keep it lean, and need to keep the tax rate as low as possible, and she agreed with Sel. Woolsey regarding Public Works.

Chairman Waddell agreed with the lean budget but also asked about a budget with what they really need, for comparison. The town manager addressed that work level, to create several budgets, but reiterated that they will be looking at critical needs.

Sel. Woolsey noted being concerned about development, noting its effects on budgets going forward. The town manager noted and discussed those challenges.

Sel. Barnes discussed development and wanted the public to realize that we have not invested in infrastructure and departments, with very little change in staffing levels. She noted tax collection as of July 2nd being at 91% and the town manager noted it is now at 93%, and a great job for taxpayers stepping up.

X. Closing Comments

Sel. Rage thanked police, fire and public works for doing a great job.

Sel. Bridle echoed that.

Sel. Woolsey noted her concern of the state opening a state park without full staff.

Sel. Barnes agreed with that and noted if things go forward we need to relook at services Hampton will provide.

XI. Adjournment

At 21:00 p.m. Selectman Bridle MOTIONED to adjourn the Public Session, SECONDED by Selectman Woolsey.

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

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

Jim Waddell, Chairman