

November 2, 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 **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. 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

Town Manager Jamie Sullivan, present Selectmen's Meeting Room

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

Nancy Stiles, 1 Hayden Circle, Chairman of HBAC, discussed her annual report, noting the board was emailed the report that afternoon, and the report identifies the membership. She thanked the board for renominating Rick Griffin. She discussed the activities of the HBAC, noting Sel. Rage representing them on the master plan committee. She discussed their remote meetings, hoping that in 2021 they can meet in person. She discussed a letter to the RPC regarding Route 1A. She discussed an update from CHAT. She thanked the board for the support letter for the grant application, and although they did not receive the grant, they will be receiving assistance. She discussed the many groups working on all that happens at the

Beach, and working on a symposium to bring all together, to hold early in 2021. She thanked the board again for their help and support.

Victor DeMarco, 64 Hampton Towne Estates, called regarding an article in the Hampton Union about himself, Sel. Barnes, and the BOS. He noted it being about a call two weeks ago and a possible mask mandate. He noted the article sounded like he spoke to the paper and he noted he did not. He noted the article discussed a vote, which he noted he did not hear. He noted his reasoning for his initial call and discussed the recent loss of family members. He noted his feelings regarding Sel. Barnes and asked if the vote took place.

### III. Announcements and Community Calendar

Sel. Woolsey stated she was looking forward to seeing all the voters at the polls tomorrow.

Sel. Barnes discussed the NHDOT meeting last Thursday that she participated in, noting it a good meeting and a survey available at [oceanboulevardnh.com](http://oceanboulevardnh.com) for Hampton residents. She discussed the EPA update on Coakley Landfill, noting an email from public affairs of the EPA, and that the public can go to the EPA website at [EPA.gov](http://EPA.gov), where there is a special page dedicated to the landfill. She noted in regard to Mr. DeMarco's comment, and Chairman Waddell noted we don't respond to public comment, she continued she didn't write the article and the board did not vote, Chairman Waddell noted she was breaking the rules, she continued about the rights she referred to in her comments and they are state constitutional rights.

Sel. Bridle noted the Wreaths Across America that is on the upcoming consent agenda, noting they are not stopping here this year due to Covid. He discussed the McGrail family fundraising to put wreaths on all the graves of Hampton veterans. He noted anyone wanting to help, wreaths are \$15.00 each and checks can be made payable to Wreaths Across America and be mailed to Preston Real Estate, Ocean Blvd., Seabrook, NH, 03874, and need to be there by Nov. 22<sup>nd</sup>. He noted it being a great thing, having been to a number of ceremonies, and commended the McGrail family for doing this.

Chairman Waddell encouraged everyone to vote.

### IV. RSA 41-14-a First Hearing

#### 1. Land behind 58 Moulton Road Map 178, Lot 52

Petitioner's request: Purchase of parcel of roughly a tenth of an acre of vacant land (Tax deeded parcel) behind 58 Moulton Road (Map 178, Lot 52)

Atty. Saari discussed the land situation, the claimant wishing to purchase, and the assessed value of the land.

There was no one from the public wishing to speak.

Town Atty. Gearreald discussed the property being deeded to the town by the tax collector in 1982, and noted the RSA 41-14-a that the town has adopted, utilizes the town to sell town property. He discussed the board could do public auction, sealed bid, or this way. He discussed NH case law regarding proceeds going to the former owner, after taxes have been paid. TM Sullivan noted he could brief the board in a memo and asked for questions.

Sel. Rage noted the piece of land is landlocked.

Sel. Bridle noted this is first hearing and asked if we need two more. TM Sullivan noted another one and then action.

Sel. Woolsey noted having no problem with this as long as property is used for regular use, not anything commercial.

Chairman Waddell closed the public hearing, announced the next one in two weeks.

## V. Approval of Minutes

### 1. October 19, 2020

Selectman Woolsey MOTIONED to APPROVE the Minutes of October 19, 2020, 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

Chairman Waddell noted going out of order and recognized Dep. Dir. Jen Hale, and she discussed the Mill Road drainage project. She discussed Mill road with the water just being done and looking to pave next year, and finding a small section of drainage that needs to be replaced. She asked the board for approval to replace the drainage and install a manhole. She stated the cost at \$34,945.00, with only one contractor responding, Jamco, noting their cost in line with dollar values charged in the past, and noted funding to come from the 2020 budget and Jamco is ready to complete the work by Nov. 15<sup>th</sup>.

Sel. Woolsey noted complaints she has received about Mill Rd., and asked about when the final hot top will be put down. Dep. Dir. Hale discussed this drainage is near four corners, and the pavement will be in the spring.

Sel. Bridle clarified they reached out to three contractors and only one responded and the answer was yes, and noted the timeline.

Selectman Barnes MOTIONED to authorize the Town Manager to enter into a contract with Jamco Excavating LLC to complete the drainage work on Mill Road in the amount of \$34,945 with the Boards concurrence under Section 718-4B due to the work not being placed for bid (Section 718-5.1 Policy Waiver allows waivers from the provisions of the policy, in the best interest of the town), SECONDED by Selectman Bridle.

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. Wreaths Across America - December 19, placement of wreaths on Veteran's graves in the High Street Cemetery
2. 2020 Veteran's Tax Credit Renewal: Buscemi-Gauthier Family Revocable Trust
3. Cemetery Deed: Brian L. Hagen 25/I-2/4/1-4, Patricia Klotz 36/I-1/1/1

Selectman Bridle MOTIONED to APPROVE the Consent Agenda, 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

## VII. Appointments

1. Order change: Ed Tinker, MRI Assessor (By phone)
  - a. Tax Warrant

Mr. Tinker noted that the board had the second half property tax warrant, the amount being \$29,664,518.87, with the due date to be Dec. 9<sup>th</sup>.

Sel. Barnes asked about the eight percent interest from Dec. 10<sup>th</sup> on and if that is what the town pays. Mr. Tinker answered that is what is owed for late payments. She asked about waiving interest and TM Sullivan noted discussions on the first half taxes regarding the governor's executive orders and the board voting not to do that at that time.

Selectman Barnes MOTIONED to ACCEPT the WARRANT as presented, SECONDED by Selectman Bridle.

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

2. Dr. Lois Costa, Superintendent Hampton Academy (By phone)
  - a. SAU 90 Channel 13 Funding

TM Sullivan discussed the request for funding.

Dr. Costa thanked the board and noted she and her team are available for questions. Mr. Limperis discussed Mr. Lord and the three-year plan for expanding the educational part of their station. Mr. Lord noted he is taking over as media coordinator, discussed Shark News in the middle school, and getting tools into the hands of students, creating content for Channel 13 and for the community to see how and what the kids are doing. He noted further projects outlined in the presentation the board received, and discussed per diem costs.

Sel. Barnes noted hearing very good things about Shark News.

Chairman Waddell asked about the funds for them to go live and if they are able to do so, and the answer was yes. He asked about the RSA and franchise fees and the purchasing of equipment for a lab, and have they checked that out, and the answer was the equipment would be used for Channel 13. He asked about the percentages of the lab being used for Channel 13 and any for another purpose, and there was discussion of time and further interest, so did not have an exact number at this time. Chairman Waddell noted he would like to see that number, and TM Sullivan noted they could explore that with town council to make sure it meets requirements. Chairman Waddell agreed that would be good.

Selectman MOTIONED to APPROVE the SAU 90 Channel 13 Funding for \$90,000, holding \$35,000.00 until they are sure it is compliant with franchise fee agreement, SECONDED by Selectman Rage.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: abstain, Sel. Barnes: abstain, Chairman Waddell: yes. VOTE: 3-0-2

3. Jay Diener
  - a. Coastal Hazards Adaptation Team (CHAT) project update (By phone)

Mr. Diener noted he was representing the Seabrook Hampton Estuary Alliance, and was here to give an update on CHAT. He gave some background and then an update on what they

have been doing and what to expect in the future. He discussed meeting monthly since inception in 2018, and representative members, and also discussed grant funding. He discussed goals and reviews and studies regarding flooding in Hampton, and noted reports they have used, as well as case histories. He discussed speakers regarding flood insurance, and a grant manager from NJ. He noted hearing from Dep. Dir. Hale regarding the studies taking place, as well as the town planner regarding the master plan. He discussed strategies for presentations and recommendations. He discussed the possibility of a flood plain manager. He discussed the SHEA website, shea4nh.org, and that it details the work CHAT is doing.

Sel. Woolsey asked if they have addressed the spring flooding at the beach, and the answer was that will be addressed in the recommendations in a variety of ways. She asked if the river was flooding, and if more people are surrendering their parcels, and the answer was they have not heard that extensively but there has been storm activity. She asked if the bicentennial wall has been secured, and the answer was this is not in their jurisdiction. She asked if they have checked the south side of the river, and the answer was their recommendations can be applied to the town as a whole.

Sel. Barnes asked if they will have recommendations for the 2021 warrant, and the answer was he didn't believe so.

Chairman Waddell noted committee has done a super job, and noted concern of all the different groups studying flooding, hoping the groups get together. Mr. Diener noted it was a great idea and would like to discuss with Ms. Stiles.

4. Kristi Pulliam, Finance Director
  - a. Monthly Financials

Ms. Pulliam noted receiving a text from the tax collector and her offering a concern that the board did not vote on the tax rate. She noted they all received their tax rate document, with the rate being \$15.93 and the town rate stayed level at \$5.92 using \$600,000.00 of the unassigned fund balance, and she explained the breakdown of the full rate.

Selectman Bridle MOTIONED to ACCEPT the TAX RATE OF \$15.93, 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

This is the ninth report of 2020 and the expenditure target is 75%. The month's total income was \$687,986. When you compare September revenue of 2019 to 2020, we are up \$159,473. The total revenue in 2020 is now higher than 2019. Interest on Taxes \$7,808 • Motor Vehicle Fees \$330,544 • Building Permits \$82,649 • Federal Revenues/Grants \$40,443 (first reimb. from CARES Act), since then we have received additional and state responder money • State Water Pollution Control \$60,916 • Income from departments \$109,086 • Parking Lot Revenue \$42,703, possibly the final from parking lots.

On the expense side we are 72.75% spent or under budget by \$586,911. I would note that last month we were under spent by \$586,399. In September of 2019, we were under spent by \$1.2M. Below is a summary of where all the major sections stand taking into consideration open purchase orders. General Government is at 72.17%. Police Department is at 74.71 %.

Fire Department is at 77.12%. Public Works Department is at 66.69%. Recreation is at 60.22%.

You will notice that many of the warrant articles have open purchase orders showing that projects are underway. Warrant article #19, which dealt with trash, demo, and recycling contract, and when you review this line item you will see that we have begun to expend funds. The DPW Director and Deputy Director have informed you that once the budget lines for these items had been expended we would then draw down the warrant article. Funds other than the General Fund, Fund 24, Recreation has a balance of \$197,985. Fund 25, Cable Committee has a balance of \$463,361. Fund 26, Private Detail has a balance of \$236,668. Fund 27, EMS has a balance of \$276,216. Wastewater System Development Charge, fees collected in 2020 total \$65,968 with a balance in this account of \$119,266.

Sel. Barnes noted that on the revenues, motor vehicle fees are at 2.88 million as of Sept., which is all done by the town clerk's office, and the tax warrant we just signed is handled by the tax office. She noted we have not received the FEMA reimbursement yet and Ms. Pulliam stated correct. She asked if we received the reimbursement, we would be in better shape underspent, and Ms. Pulliam noted the expenses have to be kept separate from the revenue, but the offset would be there.

#### VIII. Town Manager's Report

1. TM Sullivan gave an update on the Covid numbers.
2. Voting tomorrow is from 7am to 8pm, and there is mobility issue parking in the lot up to the left, at Winnacunnet High School. Be prepared for long lines.
3. There was an outage today due to weather, with about 1600 without power that was restored within the hour.

#### IX. Old Business

##### 1. Final Budget Review

Consensus was to discuss the recommendations and Ms. Pulliam passed out sheets reflecting those. TM Sullivan noted a page 1 and 2, and on page 1 were some items that have been discussed and he explained how those were listed. He discussed page 2 were items for the board to consider and he discussed vehicle needs, 2 for DPW and 1 for Fire. He discussed adding these to the budget to reduce the number of warrant articles. He discussed that given the direction of financials to date, there could be the opportunity to purchase the 2 DPW vehicles from the 2020 budget.

Sel. Rage noted the less warrant articles the better.

Sel. Woolsey noted her concern with the DPW vehicles. TM Sullivan discussed the age and the repair status of both vehicles. She clarified the \$87,000.00 would take care of both and the answer was yes, along with plows and equipment.

Sel. Bridle noted a good idea and if we can buy them this year, that would be great.

Sel. Barnes agreed with buying them out of the 2020 budget. She agreed with less warrant articles as well, and asked about adding the hazardous waste day into the budget. Consensus was that it makes sense and a good idea. There was discussion on the exact amount.

Chairman Waddell summarized all the additions and the total came to \$29,197,835.00. Ms. Pulliam noted that will be \$41,479.00 less than the default budget.

Selectman Rage MOTIONED to ACCEPT the budget as presented with changes at \$29,197,835.00, SECONDED by Selectman Bridle.

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

Ms. Pulliam discussed that the default number has changed due to the health insurance changes. The new amount is \$29,239,314.00, and she noted the board usually votes on that as well, so it can be presented to the budget committee.

Selectman Bridle MOTIONED to ACCEPT the default budget as stated at \$29,239,314.00, SECONDED by Selectman Rage.

Sel. Barnes commented she will not be able to vote on the default budget tonight, noting a concern of one of the admin sections, and being told she can't discuss it publicly because its not factual, and therefore she can't be completely transparent with the public.

Chairman Waddell noted being confused.

Sel. Barnes expounded that there is a salary section and she has been told someone in the category may be leaving the position, but when bringing it up, the chairman and town management said it was a rumor.

Roll call vote: Sel. Rage: yes, Sel. Bridle: yes, Sel. Woolsey: no, Sel. Barnes: abstain, Chairman Waddell: yes. VOTE: 3-1-1

TM Sullivan discussed the next direction for the board being warrant articles. He asked what they want to do and noted his recommendation of the usual ones we do as well as a bond for Winnacunnet and High Street, and trash trucks.

Sel. Bridle discussed manpower for departments and wanting to see what proposals they have, and noted the Safer grants for firefighters. TM Sullivan noted the timeframe on the grants. Sel. Bridle reiterated the grant and DPW and Police.

Sel. Woolsey agreed with exploring the grant for firefighters. She commented on not going along with the Winnacunnet and High St., only wanting to clean up, one at a time.

Sel. Barnes asked about the recommendation for Winnacunnet and High St. TM Sullivan explained doing a bond for the entire project to entice larger companies to the project and discussed the schedule. They discussed the larger the project the bigger groups for the bidding process, and them being able to complete the project in a quicker time frame. Sel. Barnes discussed infrastructure and its depreciation, and spoke to Winnacunnet and High Streets. She noted she agreed with the bond.

Sel. Rage noted he agreed with the bond.

Chairman Waddell asked when warrant articles need to be finished, and the answer was the final not until January. He noted he agreed with the big budget items, the bond, and the trash trucks, and also agreed with Sel. Bridle regarding manpower and having someone come in to discuss.

TM Sullivan noted they can do that, but they have discussed that DPW needs 3 laborers. Fire needs 4 firefighters, and Police needs 5, noting those are big numbers and while we need them, now, in the time of a global pandemic might not be the right time to pursue them.

Sel. Bridle not he did not disagree.

Sel. Woolsey noted that especially with the pandemic, emergency personnel would be even more necessary.

TM Sullivan discussed hearing the consensus of his recommendations and he will start preparing and they can add to it later if they so choose.

Sel. Bridle reiterated the Safer grant and needing that information early on, and TM Sullivan reiterated the time frame. Sel. Bridle noted last year the warrant article was to move forward on the application.

TM Sullivan discussed the collective bargaining negotiations and if an agreement happens those would be added.

Sel. Barnes asked about the trash trucks, if they would be a bond or warrant article and the answer was warrant article. TM Sullivan noted that given where they are at, he may recommend those come from the unassigned fund balance.

Chairman Waddell summarized the discussion and what they are moving forward with.

Sel. Woolsey noted concern with the increase in Covid and if we should be doing anything, and TM Sullivan discussed the hospitalizations that are slightly increasing and noted everyone being prudent, with the only other possible action being a more widespread requirement in town for masks.

#### X. New Business

#### XI. Closing Comments

Sel. Rage noted hoping to see many people at the polls.

Sel. Bridle noted voting tomorrow.

Sel. Woolsey noted for everyone to get out and express their opinions.

Chairman Waddell noted being very frustrated, and discussed they operate on Robert's Rules of Order as it was voted, and discussed they are a board, not individuals, and people breaking the rules means it becomes chaos. He explained the process if the chairman rules someone out of order.

#### XII. Adjournment

At 20:28 PM, the Selectmen adjourned the Public Session on MOTION of Selectman Bridle, 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

James Waddell, Chairman