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November 4, 2019

6:30 PM Non-public Session RSA 91-A:3,II,(a),(c),&(e)

PRESENT: Rick Griffin, Chairman  
Jim Waddell, Vice-chairman  
Rusty Bridle, Selectman  
Regina Barnes, Selectman  
Mary-Louise Woolsey, Selectman  
Frederick Welch, Town Manager  
Jamie Sullivan, Deputy Town Manager  
Mark Gearreald, Town Attorney

At 6:30 PM, the Selectmen voted on MOTION of Selectman Waddell, SECONDED by Selectman Bridle, to go into a non-public session under RSA 91-A:3,II, (a)[personnel], (c)[reputation], & (e)[litigation], which passed unanimously (5-0-0) by Roll Call.

1. [The minutes of the first item were sealed].
2. Salary of Deputy Public Works Director

Deputy Town Manager Sullivan outlined the situation of the salary of the Deputy Director in relation to those of the corresponding positions in other Departments as well as the accomplishments of the Deputy Director in the last 4 years since her hire. On that basis, the Deputy Town Manager recommended an adjustment to Deputy Director Hale's salary from \$84,074 per year to \$92,481.40 per year, effective immediately.

On MOTION made by Selectman Barnes, SECONDED by Selectman Bridle, the Board voted unanimously (5-0) to implement this recommendation immediately and to plug the new salary figure into both the 2020 Operating and Default Budgets.

3. Salaries of the Town Manager and Deputy Town Manager

Selectman Woolsey departed.

Discussion was had concerning making changes now or instead to wait until July 1, 2020 to evaluate this issue at that time as the current office holders will be changing change places then. On MOTION made by Selectman Waddell, SECONDED by Selectman Barnes, the Board voted 4-0-1 [Selectman Woolsey absent] not to give raises to the Town Manger and the Deputy Town Manager for 2019.

At 6:50 PM, a MOTION was made by Selectman Waddell, SECONDED by Selectman Barnes, to leave the non-public session, which was approved unanimously (4-0-0).

At approximately 6:51 PM, back in public session, Selectman Waddell MOTIONED, SECONDED by Selectman Bridle, to seal the minutes of the first item taken up in non-public

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session on the basis that disclosure of the minutes could jeopardize the actions to be taken and affect reputations, which was passed by a vote of 3-0-2 (Selectman Barnes not participating; Selectman Woolsey absent).

The Selectmen at 6:51 PM recessed their public session upstairs in order to reconvene downstairs in the Selectmen's Room to continue the public session.

7:00 PM Public Session

PRESENT: Rick Griffin, Chairman  
Jim Waddell, Vice-chairman  
Rusty Bridle, Selectman  
Regina Barnes, Selectman  
Mary-Louise Woolsey, Selectman  
Frederick Welch, Town Manager  
Mark Gearreald, Town Attorney

### SALUTE TO THE FLAG

#### I. Public Hearing RSA 35:95-e

Under RSA 31:95-e to accept the donation from the Friends of the Mounted Police Patrol of the horse "Warrior Goliath" for the Mounted Police Patrol with a value of \$12,500.

Chief Sawyer reminded the Board the last horse did not work out, and the partnership with the Friends. He discussed Warrior Goliath and his acclimating well, and the need for the Board to accept the donation.

Selectman Waddell MOTIONED to ACCEPT donation from the Friends of the Mounted Police Patrol of the horse "Warrior Goliath" for the Mounted Police Patrol with a value of \$12,500, SECONDED by Selectman Barnes.

VOTE: 5-0-0

#### II. Public Hearing RSA 31:95-b

Under RSA 31:95-b to designate the unanticipated funds in the sum of \$116,293.33 from the State of New Hampshire to be utilized in the replacement of the sewer main in Elaine Street.

Mr. Welch explained the funds coming from the surplus State funds. There was no public comment. Sel. Barnes stated this is a great use of the funds. There was general agreement.

Selectman Bridle MOTIONED to designate the unanticipated funds in the sum of \$116,293.33 from the State of New Hampshire to be utilized in the replacement of the sewer main in Elaine Street, SECONDED by Selectman Barnes.

Sel. Woolsey asked if this is the only public hearing and Mr. Welch answered yes.

VOTE: 5-0-0

#### III. Public Comment

Charlie Preston, no address given, discussed trash. He discussed bag and tag, reading from something written in 1993. He asked the Board to not kick this down the road again. He

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discussed banning commercial pick up of single serve glass. He discussed not needing a study and asking if the State was a part of the Committee, and what are their opinions. He also discussed Town votes. He mentioned DPW does a great job, and discussed receptacles. He asked the Board to review the July 8<sup>th</sup> Solid Waste Committee meeting. He discussed the issue of junk mail.

Dave Hartnett, Ocean Blvd, he offered thanks for the formation of the Solid Waste Committee, and noted Mr. Sullivan's good work. He highlighted that this won't be fixed with one or two warrant articles. He discussed bringing back the Recycling Committee. He mentioned the satisfaction with the DPW. He stressed the one common thing all agreed on is that everyone wants a clean community and a clean beach. He mentioned how funding is handled for DPW, discussing a possible fund offset for the Transfer Station. He encouraged the Board to take note of the report. He discussed commercial business separating glass, noting what he had done.

Skip Sullivan, 12 Colonial Circle, discussed putting the warrant together. He asked the Board to keep the articles short and to the point.

Mike Edgar, 7 Ann's Terrace, he discussed the Rail Trail. He stated he was in favor of the Town coming to an agreement, noting using it for recreation. He discussed further benefits of its use.

Tom Sherman, Rye, State Senator, stated he wanted to discuss the Rail Trail. He stated being in favor of it. He discussed the future possibility of Portland to Boston and the economic benefits to Hampton. He talked about new and increased business. He discussed the positives of the Rail Trail for not only Hampton, but the entire seacoast.

Seth McNally, 226 Exeter Road, asked the Board to support the Rail Trail. He discussed section 4 being the only change, the indemnification, asking to focus on that, and that it would be a great asset to the Town.

#### IV. Announcements and Community Calendar

Chairman Griffin noted the possibility of snow this weekend.

#### V. Approval of Minutes

##### 1. October 21, 2019

Selectman Woolsey MOTIONED to APPROVE the Minutes of October 21, 2019, (with a spelling correction) SECONDED by Selectman Waddell.

VOTE: 4-0-1(Bridle)

#### VI. Consent Agenda

##### 1. Entertainment License and Posted Permit: L Street Tavern

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

VOTE: 5-0-0

#### VII. Appointments

##### 1. Stephen Falzone, Trustees of the Trust Fund

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a. Quarterly Report

He discussed stocks having a decent year, and bonds doing well. He discussed positive markets and inflation being in control, and that the Real Estate Trust Fund continues to grow with income. The third quarter income was \$236,414.00 with year to date being \$694,901.00 and projected income for the year being about \$900,000.00. The transition from National Advisors Trust to Fidelity is going well.

Sel. Woolsey noted how fortunate the Town was to have the trustees. Sel. Barnes stated great job.

Sel. Waddell asked what the fund was at right now and Mr. Falzone answered \$22,491,934.00, noting the benefit of the income to the Town. Sel. Waddell asked how the trust fund came to be. Mr. Falzone answered with a brief history noting the beginning in 1983 or 84, the Hampton Beach Improvement Committee had the land at the beach under 99 year leases, and when they came due, people and businesses bought them with the money being put into a trust fund, and managed, sometimes mismanaged, and at this point being managed really well.

Sel. Bridle noted his agreement.

2. Jamie Sullivan, Deputy Town Manager

a. Solid Waste Committee Report

Mr. Sullivan was present to represent the Solid Waste and Recycling Committee, noting they all had the report and it will be online for people to review. He gave a summary of the report and recommendations. He noted how often the Committee met and the experts that came in, as well as citizens. He thanked the Committee for their time. He discussed the condominium policy. He discussed looking at commercial waste pick up, it's challenges and cost, and possible pay as you throw and what that cost might be. He discussed the issue of glass and its weight. He mentioned composting and its potential opportunity and a possible use scenario. He discussed contaminations of recycling. He discussed textiles and possible curbside pickup. He further discussed pay as you throw and noted it needs further discussion. He asked that the Board take the recommendation of looking at a further study for pay as you throw with an expert in the issue. He discussed looking into a program that is tailor fit to the community. He noted seven recommendations, and discussed them.

1. An ongoing Solid Waste and Recycling committee for education
2. Hire a consultant
3. Warrant articles for funding a revolving account to support trash collection
4. Warrant articles for special revenue fund to pay for recycling.
5. Warrant articles to purchasing a trash/recycling truck
6. Add full time position (1) to assist with solid waste and recycling operations
7. Maintain the Board's current policy for condominiums.

Sel. Woolsey agreed about the glass issue. She mentioned condominiums should be required to get rid of their own waste. She commented on the State of NH hiring a private hauler for hauling their waste. Mr. Sullivan commented on her comment and discussed them picking up our side of the roadway, saving us substantial money. She asked who owns the west side walks. Mr. Sullivan stated that is a whole other quagmire, not a trash issue. She mentioned the composting being difficult for some and wants us to do Trash for Ash. She thanked the Committee and

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agreed it should be continued. Mr. Sullivan commented on the waste for energy, it being looked at, and the cost issue.

Sel. Barnes mentioned watching the meetings and thanked the Committee for the hard work. She noted Mr. Hartnett's discussion regarding businesses at the Beach and the need to look at further options. She mentioned doing her own trash analysis and discussed tonnage and the State. She noted that from 2015 to through 3<sup>rd</sup> quarter 2019, the State trash total, averages about 2%. She discussed the majority of the trash being summer, and the influx of trash, April to September being 90% of the trash. She stated feeling as if we are blaming Beach businesses for this issue when it is the influx. She noted the people of those months paying high taxes. She again highlighted the State 2% and getting a fee for that. She discussed receiving some draft warrant articles and noted one for a study for public works handling waste. She asked if that is what was discussed. Mr. Sullivan stated a preliminary one, if that is what is wanted, would be further formulated. She noted year to date revenue at the transfer station is almost \$261,000.00, and asked if that would be the revolving fund. Mr. Sullivan further explained the fund process and they discussed it would offset the expense.

Sel. Waddell stated good job, and he also watched a lot of the meetings. He mentioned liking the businesses looking at glass, liked the compost idea, as well as education on recycling. He stated he thought hiring a consultant a good idea, and doing things properly. He asked about fairness, and people losing their recycling bins and was there a recommendation for that. Mr. Sullivan noted staying with the Boards policy, past practice, and dealing with each issue.

Sel. Bridle stated he thought a lot of work went into it. He liked the idea of the bottle ban, but needing a place for people to put their glass. Mr. Sullivan stated DPW is working on that, and Sel. Bridle mentioned maybe one day a week there is glass pickup. Mr. Sullivan discussed the process of running a pilot program, noting misunderstandings of programs and our DPW would be handling the program. Sel. Bridle noted he agreed about needing more personnel.

Chairman Griffin asked what private residents would do with the glass. Mr. Sullivan discussed that would remain the same and noted the focus is with the large amounts particularly at the beach. He discussed the safety of less glass at the beach and discussed clean glass and it would be a reduced rate. Chairman Griffin asked about time frame for reducing the glass and Mr. Sullivan he didn't have that. Chairman Griffin asked if a warrant article was needed and Mr. Sullivan stated he didn't think so. He also discussed the pros and cons of warrant articles. Chairman Griffin asked how soon we could get to no glass at the beach, next year. Mr. Sullivan answered that maybe an impact by the summer, but not no glass. He also discussed it being voluntary, and that being worked on. Chairman Griffin stated he is for not kicking this down the road and wants to be getting something done as soon as possible. He discussed looking at things and how successful bag and tag is in Exeter, and it resulting in recycling. He mentioned he liked the idea of Mr. Fox and the textiles, and the special fund, and stated there should be a discussion about the condominiums, noting the 30 that will be going in where Little Jacks was. He also mentioned Warren Kelly's 6-unit condominium. He asked how many employees would be needed for the bag and tag. Mr. Sullivan stated DPW has asked for one and that would be dependent on what is approved and funded. Chairman Griffin asked about using unspent funds to hire the consultant. Mr. Sullivan stated yes, if that is what they want. Chairman Griffin asked Mr. Welch if he agreed and Mr. Welch stated it would come from the bottom line of the town budget. Chairman Griffin again discussed getting something done timely. Mr. Sullivan discussed timelines and he and Chairman Griffin discussed warrant articles and what can or

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should get done sooner rather than later. Chairman Griffin asked if there was a consultant at the meeting and the answer was yes. He asked about looking into who Exeter used.

Sel. Barnes asked for an explanation of Pay as you Throw. Mr. Sullivan explained one way that was discussed went as a per barrel system with stickers showing payment.

Chairman Griffin asked that it is not actual bags and the answer was no, but that is why more study is needed. He stated he wanted everyone treated the same, business and resident. Mr. Sullivan discussed the fairness aspect, and what is realistic. Chairman Griffin discussed residents who don't use the service in winter and a credit. Mr. Sullivan discussed the economic incentive of paying per bag. He noted the outside consultant would help reach a cohesive program. Chairman Griffin reiterated his feelings on kicking down the road, fairness, and non-winter use.

Sel. Bridle stated the need for a motion to hire the consultant, and he made said motion.

Selectman Bridle MOTIONED to APPROVE the Hiring of a Waste Consultant using Bottom Line Town Budget Funds, SECONDED by Selectman Waddell.

Sel. Bridle stated he felt we need to support the warrant articles, the two funds and the trash truck.

Sel. Waddell stated they should look at other towns that are successful, but also how long it took them to be successful, highlighting a need to do this properly.

There was general discussion on fairness, other towns and we are not like other towns.

Sel. Barnes discussed concern with pay as you throw and transients and if they don't follow the program, it will be left to taxpayers. Mr. Sullivan discussed the need to modify the program so that it works best for us and the need for solutions for issues unique to Hampton.

Sel. Woolsey commented not wanting a lot of special money articles.

VOTE: 5-0-0

Mr. Sullivan asked if the consensus was to have the standing Committee and the answer was yes, he stated he will work on a proposal.

3. Chief Sawyer, Police Department
  - a. Purchase of Level 3 ballistic vests.

Sel. Woolsey stated nice job on the north Shore. The chief discussed the upcoming State Beach meeting which would be at the State Park facility, and he will be present.

The chief discussed the level 3 ballistic vests the department has, they are heavier and more cumbersome, and five years past their warranty. He discussed funding from Asset Forfeiture account, and looking for 20 vests at \$690.00 each for a total cost of \$13,800.00.

Selectman Woolsey MOTIONED to APPROVE the Purchase of Level 3 ballistic vests, SECONDED by Selectman Barnes.

Sel. Waddell asked how long these are good for and the answer was there is a five year warranty, but if taken care of, they can last longer. Sel. Waddell asked about going to bid, and the answer was no, it is under \$15,000.00 and also it is a State bid. Chairman Griffin asked what is done with the old ones, and the answer was demonstrations or recycled into ballistic blankets.

b. Discussion of variable message board purchase.

Chief Sawyer stated he wanted to discuss the possible purchase of message boards that are critical for getting the word out in emergency situations as they ones they have now are failing. He stated he would like to get three units at of cost of \$14,195.00 to \$14,665.00, and they can be programed remotely, which would need annual support.

Chairman Griffin asked about a message board for the front of the Town Office. The chief answered there was discussion on that and the idea of having permanent boards at select areas in Town, one being the Town Office, but they are costly. He mentioned that idea does not negate his need for the others. He gave a cost of four units with shipping being \$56,780.00. He discussed possible funding, mentioning fund 26, for details and equipment.

Chairman Griffin asked about possible income and the Chief answered that could be if people want to rent them.

Selectman Woolsey MOTIONED to APPROVE the Purchase of variable message board, SECONDED by Selectman. (no second)

Sel. Barnes asked about the boards being used for road construction, and the answer was yes, along with DPW has two new boards, again, with his three failing. She commented how important the boards are for the construction purpose.

VIII. 2020 Departmental Budgets

Finance Director Kristi Pulliam presented budget adjustments.

Town Clerk reduction in part time wages, \$4,298.00. Social Security and Medicare and Retirement, relating to wages. Health Insurance going up 6.1% and Dental at 3.2%, the adjustment covering all current positions. DPW regular wages discussed during the evening's non-public and reduction in DPW part time, due to intern not being filled. Storm water reduction of \$1,160.00. DPW repairs and maintenance needing to be increased to \$19,334.00 and hired equipment increased by \$500.00, and a removal of \$5000.00 from sidewalks. Solid Waste career incentives increased by \$600.00 due to collective bargaining. Membership dues needed an \$1,160.00 increase. Landfill monitoring inspection increase \$6,470.00, with ground water monitoring a decrease of \$20,551.00. Transfer Station OT wages increase due to Sunday hours, \$15,484.00, and career incentives due to collective bargaining \$300.00. Screening and Grinding had a contract come in for an increase of \$13,500.00. The Library's health insurance with an increase of \$5,427.00. That brings the total if approved to \$28,355,685.00 with the default budget being \$28,360,531.00. It is up 2.76% over the 2019 budget.

She mentioned revenues and them being looked at right up until setting tax rate, with the current revenue budget being \$8,346,075.00. She discussed they revenues being adjusted from the Town Manager's to be more in line with what is expected for 2020.

Sel. Barnes commented on the default budget, noting the new regulations to calculate them, and being ready to make a motion. Ms. Pulliam further discussed how that change worked. Sel. Barnes noted it all goes to the budget Committee.

Selectman Barnes MOTIONED to APPROVE the 2020 Budget and Default Budget, SECONDED by Selectman Waddell.

IX. Town Manager's Report

1. Work continues on the replacement of the Mill Road water main. Please use an alternate route in your travels if at all possible. Expect long delays when traffic is heavy and be watchful of employees and equipment in the roadway. DPW is working both ends and getting close to closing Mill Road, at the 4 way intersection, north to Town line, for three or four hours, tomorrow or the next day.
2. The Recreation Department reports that Kids Kingdom is nearly completed thanks to the help of many both citizens, employees and the crew of the USS Virginia.
3. The Department of Public Works will begin leaf pickup on November 18th. Leaves should be in biodegradable bags or barrels without branches or parts of trees or wood.

X. Old Business

1. Rail Trail Agreement

Sel. Woolsey stated she had a motion.

Selectman Woolsey MOTIONED that with regard to information in three memos, to refuse to sign the Rail Trail agreement, SECONDED by Selectman Barnes for discussion.

Chairman Griffin stated he is in favor of the Rail Trail. He discussed being in favor even if there is some spending and mentioned committees being formed and a volunteer program. He referenced the Boston project he saw. He mentioned the State wanting bicycle paths and people wanting them, and safety for bike riders.

Sel. Waddell mentioned signing off on the agreement in January and the change in language in one section. He stated he thought they should contain to just that section.

Sel. Barnes mentioned concerns when that happened and asked if they heard back on them. She mentioned the three memos that Sel. Woolsey noted, and further discussed the 5 page memo from DPW to the Town Manger. She noted the letter sent by the Board to Senator Shaheen regarding concerns. She commented receiving a memo from Dep. Dir. Hale in March saying everything would be worked out. She asked if the 5 page memo been addressed by DOT, and noting a forward of Dep. Dir. Hale's email from the Town Manager. She asked after the project is completed, who would be responsible for ongoing maintenance and will Hampton be responsible for the Exeter railroad bridge, referencing section 2 of the agreement. She noted it is a great project but is not understanding why it will be pawned off on Hampton. She noted an answer from Town Manager saying the part that is in Hampton, the Town will be responsible for, with possible volunteers, and the railroad bridge will be the Town's responsibility. She asked if this is in the best interest of the Hampton taxpayer. She referenced the DPW memo regarding upcoming challenges. She mentioned infrastructure depreciation at 72%. She argued believing the taxpayers would prefer to see our own infrastructure maintained.

Chairman Griffin argued that they all represent the taxpayers.

Sel. Waddell stated he is in support, noting the prior vote. He mentioned private groups helping with maintenance, as well as a local business. He noted other towns signing off and it being a disaster if Hampton does not sign.

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Sel. Bridle agreed, noting the trail is there and the bridge would be our responsibility anyway. He discussed a smaller culvert, and not expecting anything else from the State. He mentioned it is time and great for Hampton citizens. He discussed excitement for the trail and an opportunity to bring others here.

Chairman Griffin reference the other towns signing. He discussed a past bicycle path project on Winnacunnet Rd, with people not wanting the path in front of houses, and this rail trail would not near homes. He restated he is in favor.

Sel. Woolsey asked if all had read Mr. Welch's 10/31/19 memo, have they read Atty. Gearreald's 10/25/19 memo, and Mr. Jacobs's memo of 1/25/19. She read a statement from a gentlemen regarding another rail trail in Massachusetts. She discussed the memo's warning us about being on our own, and this is a terrible risk to the Town.

Chairman Griffin called for a vote.

VOTE: 1-3-1(Woolsey for, Barnes abstain)

Selectman Waddell MOTIONED to sign rail trail agreement with modified Section 4, SECONDED by Selectman Bridle.

VOTE: 3-1-1(Woolsey against, Barnes abstain)

Mr. Welch noted the new revenue for the Town with 16 taxable items on the rail trail.

XI. New Business - None

XII. Closing Comments

Sel. Waddell stated good meeting.

XIII. Adjournment

At 20:50 PM, the Selectmen adjourned the meeting on the MOTION of Selectman Bridle SECONDED by Selectman Waddell.

VOTE: 5-0-0

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Rick Griffin, Chairman