

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

November 18, 2019

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

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

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

[The minutes were sealed].

At 6:38 PM, a MOTION was made by Selectman Waddell, SECONDED by Selectman Woolsey, to leave the non-public session, which was approved unanimously (5-0-0).

At approximately 6:39 PM, back in public session, Selectman Bridle MOTIONED, SECONDED by Selectman Woolsey, to seal the minutes of the non-public session on the basis that disclosure of the minutes could jeopardize the actions to be taken, which was passed by a vote of 5-0-0.

The Selectmen at 6:40 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 Hearings

1. RSA 41:14-a First Hearing 4 2<sup>nd</sup> Street - Release Deed Restriction #4 (Single family, 4-bedroom and subdivision restrictions)

Attorney Gearreald discussed the original lease of 4 2<sup>nd</sup> Street being four different structures, mentioning the deed restrictions of one single dwelling with four bedrooms and no subdivision.

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He discussed the difficulty with deed restrictions, and mentioned a planning board subdivision of this property. He discussed the proposal for one half of the property, being two cabins to one structure. He mentioned the end result would be the subdivision and two separate dwellings, also mentioning the five bedrooms.

Sel. Woolsey asked how many hearings are needed. Atty. Gearreald answered two with the third being a vote.

Sel. Waddell noted Conservation Commission stated in a letter they had no problem, also noting the Planning Board had a question with parking, and mentioned parking is always a problem, noting it should be taken care of. Atty. Gearreald mentioned the diagram with the garage.

Sel. Bridle discussed the two spaces and Atty. Gearreald clarified two spaces for one building. He asked about off street parking and Atty. Gearreald answered not to his knowledge, according to the diagram. There was general discussion about parking with five bedrooms and that should have a solution. Sel. Woolsey mentioned speaking with someone and there would be two cars in the garage and two in the driveway. Sel. Waddell mentioned stacked parking and reiterated possible problems. There was general discussion on required spots and stacked parking.

Sel. Barnes encouraged anyone with any concerns to come to the next public hearing or email the entire board.

2. RSA 41:14-a First Hearing 907 Ocean Blvd - Release Deed Restriction #4 (Single family, 4-bedroom and 7-foot setback restrictions)

Bill Dufrene, the owner of 907 Ocean Blvd, stated it is his year round residency and he purchased the property in 2004 from his aunt who purchased from his grandparents in 1974 and his grandparents bought in 1957 when it was a two family home. He mentioned memories of a half door that was required by the town. He discussed his research of the property, particularly the two family status. He stated he provided that to the town attorney. He mentioned building permits. He discussed being here because he is having trouble selling the property, which is under contract, with the buyer having financing trouble due to the deed restrictions. He is asking the restrictions be modified so he can sell. His discussed his always abiding by permits and restrictions while owning.

Atty. Gearreald passed out information and further discussed the property issue. He gave a history of the property and it's zoning. He discussed the number of bedrooms and the setbacks.

Mr. Dufrene discussed a family photo as evidence of the porch being there in or around 1962. He discussed his mother's recollections and the side setback and a possible building permit, as well as pictures. He discussed the apartment and historical pictures from a renter.

Atty. Gearreald further discussed setbacks and a garage permit issue, with a drawing showing 8 feet and it is now 4 feet. There was general discussion and Atty. Gearreald mentioned a possible zoning issue. Mr. Dufrene discussed the wording of other properties release of restriction approvals.

Sel. Woolsey asked if town council had a recommendation. Atty. Gearreald reiterated the history of the property and that there have been no complaints and that this is not for

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development of the property. He stated he would have no problem with the board granting the relief.

Sel. Woolsey asked about the number of hearings and the Atty. Gearreald answered is this in number one, and further discussed the vote and timeframes.

Sel. Barnes asked for clarification that the second public hearing for both would be Dec. 2<sup>nd</sup> and the answer was yes.

Sel. Bridle mentioned his knowledge of the property and has no problems with it.

## II. Public Comment

Mark McFarland, 3 Warner Lane, read an email he sent to the board regarding the board's decision to grant health benefits to one part time employee. He is asking the board to address the issue in the near future.

Charlie Preston, 47 Glade Path, wanted to make a community announcement about the state park meeting. He asked about parking at the beach during the winter parking ban. He also asked about getting the marquis sign. He applauded the staff of the USS Virginia for working at the Kid's Kingdom park.

## III. Announcements and Community Calendar

Sel. Barnes announced the Firefighters Chili cook off on Thursday, 6pm at Wallys, and the SOS Recovery Center at 1 Lafayette, from 9am to noon.

Sel. Waddell mentioned the event last Thursday at the Rotary with them giving the citizen of the year award to Captain Michael McMahon from the Fire Dept. It was a great event and a great person to give the award to.

Chairman Griffin offered his congratulations to Captain McMahon.

## IV. Approval of Minutes

### 1. October 28, 2019

Selectman Woolsey MOTIONED to APPROVE the Minutes of October 28, 2019, SECONDED by Selectman Waddell.

VOTE: 5-0-0

### 2. November 4, 2019 & Non-public Session

Sel. Barnes noted that during the non-sealed portion of the non-public the board unanimously agreed to give Dep. Dir. Jennifer Hale a salary adjustment of \$8,407.00 increase, and she wanted to state that publicly.

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Selectman Waddell MOTIONED to APPROVE the Minutes of November 4, 2019 & the minutes of the Non-public Session, SECONDED by Selectman Woolsey.

VOTE: 5-0-0

#### V. Consent Agenda

1. Donation of \$1000 from Service Credit Union for Parks and Recreation's Tree light event
2. 2019 Equalization Municipal Assessment Data Certificate

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

VOTE: 5-0-0

#### VI. Appointments

1. USS Virginia Command Staff

Chairman Griffin thanked the Command Staff for all the nice things they have done for Hampton and for coming in this evening. He highlighted all the events they have participated in, noting all their hard work.

At the podium, Mike Edgar, a member of the committee, stated on behalf of the committee that they wanted to introduce the staff to the public. He mentioned the meetings that are held which are open to the public and discussed the bond they have all formed. He highlighted all the hard work at Kid's Kingdom.

Chairman Griffin introduced three of the staff.

Commanding Officer Michael Povlosky stated it was great to be here. He noted the events listed and that the crew likes to eat, and he also noted the great relationship with the town. He stated the events help the crew get off the ship and support the community which they take pride in. He stated they are here till the summer of 2021.

Chairman Griffin asked about their families and the CO answered about 90 percent of the staff have their families here with them. He stated they are all looking forward to more opportunities to help and support the community.

Sel. Woolsey stated to them that we are proud of them.

Sel. Barnes thanked them and noted even the spouses helped out at Kids Kingdom.

Sel. Waddell thanked them for their service and all that they do.

Sel. Bridle offered that their families will really enjoy the tree lighting and the parade which they will be in. He also thanked them for their service.

2. Scott Egan & Tayler Paine, Auditors Plodzick & Sanderson

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a. 2018 Auditor's Report

Mr. Egan stated they were here to present the report and asked if there were any issues to be addressed up front. He reviewed the audit opinion, stating they are fairly stated, the town as a whole. He noted significant changes in this report due to changes in accounting standards. He discussed post employment health care benefits, noting GASB 75. He discussed the medical subsidy from NH Retirement received and its reporting. He discussed the liability of the plan's blended rate and it being a higher liability due to employees and retirees paying the same rate. He mentioned it going from a net concept to a gross concept, resulting in a higher figure. He discussed the single audit, as required by federal law.

He discussed page 52 of the report, (schedule of revenues) noting the three types of reporting. He noted the \$938,790.00 revenue received over budget, and highlighted where it came from. He discussed the expense side and the \$618,000.00 under budget. He noted it a positive year relative to revenue and expense.

He noted page 55 and Fund Balance. He noted the ending unassigned fund balance being \$8,859,000.00, being about a 15% increase.

He discussed page 11, the fund balance sheet. He discussed the entire fund balance, not just unassigned. He highlighted the amounts of assets and liabilities. He discussed how the revenue and tax accounting standards related to the amounts. He also discussed the different types of fund balances listed.

He discussed page 13 and all of the activity changes to all of the different types of funds. He discussed the loss in the permanent fund due to stock market investment issues. He discussed committed and restricted funds. He explained there is further detail and breakdown on page 56, the combined balance sheet.

He discussed pages 9 and 10, the government wide statements. These include capital assets, and he discussed pension and long term debt. He discussed net assessments being \$37,550,603.00, and referenced note #20.

Sel. Woolsey asked if they had an opinion of the Trustees of the Trust Funds. Mr. Egan stated not an opinion, but have verified there is an investment policy and that the investments made are in accordance with policy. It is reviewed and managed actively. Mr. Paine noted 3 separate policies depending on investment.

Sel. Barnes asked about the unassigned fund balance, being about \$8.3 million. Mr. Egan explained the reporting difference of the amount being 8.3 or 8.8 million, with the 8.8 being budgetary. She asked if that was an appropriate level, and Mr. Egan discussed there aren't exact levels or amounts, bare minimum being 2 months of operating, but it depends on the community. She mentioned capital assets, and depreciation being at about 72%, and she asked for an explanation of depreciation. Mr. Egan discussed it as being an annual percentage of the amount of years an asset is listed for expense purposes. She stated wanting to clarify for the public the need for the fund balance due to the wear and tear on the assets. Mr. Egan agreed, noting some ways you can use the unassigned fund balance. She noted what the balance was when Mr. Welch arrived, it being zero. She mentioned the pension liability and asked for an explanation. Mr. Egan highlighted page 31, note 13, discussing it is the largest amount of the long term debt, and discussed that it is an estimate based on contributions.

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Chairman Griffin discussed prior years unassigned fund balance and asked Mr. Welch to clarify what it was when he came. Mr. Welch noted about 770 thousand, with 3 million uncollected in taxes. He further discussed prior boards working to build the balance.

Sel. Waddell asked that in summary, the town is in good shape with good records, is that correct, and the answer was yes. He asked about the majority of the liability is payed over long periods of time, including the pension which is a predicament NH Retirement got into. Mr. Egan stated correct and reiterated it is not like a bond paid over time, but an amount based on rates. Sel. Waddell clarified the unassigned fund balance is not a cash account, but an accounting mechanism, and the answer was correct, it is mostly uncollected taxes. Mr. Egan further explained the net worth process of the amount.

Sel. Bridle reiterated that stating in plain English the accounting office is doing a good job and the town management is doing a good job and no issues. Mr. Egan clarified they found no significant findings, nothing to point to a misstatement and day to day operations are up to date with a good job done.

Chairman Griffin thanked the Plodzick team and thanked Finance Director Kristi Pulliam for a good job done, and the team agreed.

3. Chris Jacobs, DPW Director & Jen Hale, DPW Deputy Director
  - a. Bypass Trailer Mounted Pump (Project S)

Ms. Hale explained this is a request for a new bypass trailer. She noted it is a pump that works with manholes and is on a trailer. The current one is from 1991 and no longer reliable, and this equipment is for emergencies. They are asking to purchase from the waste water development charge account and it is \$51,261.00 and the funds are available, and it is a government bid price. Mr. Jacobs reiterated the critical need for the purchase.

Selectman Waddell MOTIONED to APPROVE the purchase of the Bypass Trailer Mounted Pump (Project S), SECONDED by Selectman Woolsey.

VOTE: 5-0-0

- b. SCADA Purchase – WWTP Facility Upgrade

Ms. Hale explained the SCADA purchase. She noted the waste water treatment plant improvements and that this is a piece of the computer portion of phase one of the project. She stated that the IT department has noted the current SCADA will no longer operate on the current operating system, so there is no luxury of waiting until next year. This purchase will work now and work with the new improvement system, and it comes with a 3 year service plan. The price is \$33,090.72, and would be funded by fund 32, the approved warrant article. A waiver to the purchase policy is requested, this was not put to bid as research showed this is the specific item needed.

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Selectman Barnes MOTIONED to APPROVE the SCADA Purchase – WWTP Facility Upgrade and to Waive the Purchase Policy, SECONDED by Selectman Bridle.

VOTE: 5-0-0

Ms. Hale asked for another item to be added and announced and read an email she received regarding the awarding of the Flood Grant that had been applied for, in the amount of \$185,799.91 from the National Fish and Wildlife Foundation. She noted this is a huge step in our drainage studies. She also noted the warrant article is the required matching funding. Consensus was this was great.

Chairman Griffin asked what area this was for and she answered Hampton Seabrook Salt March estuary, and they further discussed the exact places.

Sel. Woolsey asked about the dredging of the harbor and will it have any effect on DPW or flooding. Mr. Welch answered it won't change flooding. Ms. Hale noted the same.

Sel. Bridle asked if the street sweeper was still working. Mr. Jacobs noted it is offline at this point in the season, due to the cold and water possibly freezing. Sel. Bridle mentioned the leaves in gutters in the downtown area. Mr. Jacobs noted it could go back out and would look into it.

Sel. Barnes noted this week is fall leaf pickup. Ms. Hale agreed, it started today, they were a little behind due to equipment, and if a resident feels they have been missed, to please call.

## VII. Town Manager's Report

1. Trench patching on Park Avenue is completed and the roadway is open to normal traffic. The roadway is scheduled for a complete overlay of pavement in the next paving year.
2. The handicapped parking area in the Town Office is complete except for pavement stripping and the erection of signage.

Good job comments were offered to DPW.

3. Work continues on the replacement of the water main on Mill Road until freezing weather shuts down work in the ground.
4. The water main replacement of Route 101 and Church Street is completed and the trenches have been patched for winter. Any final cleanup is underway.
5. A large water logged tree truck on Plaice Cove Beach is being removed by hand by a contractor as powered equipment is not allowed on the beach under State Regulations.
6. Contracts have been posted for solid waste for a 3 ½ year period. Contracts are online.
7. Please remember there is a parking ban in effect from 1am to 7am, seven days a week till Mar. 15<sup>th</sup>, or during snow emergencies and the parking lots at the beach, except for church street are open for people to park in during major storms.

## VIII. Old Business

1. Variable Message Board Purchase

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Mr. Welch explained the Police Dept. request to purchase the message boards from the police fund. He noted the disrepair of the current ones, and that funds are available but board permission is needed.

Selectman Barnes MOTIONED to APPROVE the Variable Message Board Purchase, SECONDED by Selectman Woolsey.

Sel. Waddell asked about the cost and Mr. Welch stated exact unknown but in the \$16,000.00 range, and he would get back to the board with that, hoping to purchase 3 or 4.

VOTE: 5-0-0

Sel. Woolsey asked about a sign and where it is. Mr. Welch stated it is on Rt. 1 and is down with DPW working on it. A request to the state to put it back up realized there is not a permit for it, we will be working getting one. There was general discussion on previous signs and placement, and the missing one from Exeter Road, and if that should be replaced. Consensus was to do so. Mr. Welch noted state discussions about the bridge on the Hampton – North Hampton line, with possible removal. There was general discussion on what the state may or should do or not do.

## IX. New Business

### 1. Downtown Parking Restrictions

Sel. Bridle noted he was asked to bring this up, noting a number of people in the downtown area have discussed confusion about length or parking times. He noted we like to encourage downtown businesses and he would like to see it all one hour parking. He mentioned the municipal lot for longer times. He also noted being asked for more police presence in the area. He mentioned the one hour for Lafayette Rd and High St.

Sel. Woolsey asked about the workforce housing. Sel. Bridle stated he heard the workforce housing was on Exeter Road and there was general agreement.

Sel. Barnes asked about what if someone is in a business for more than an hour and could we possibly do 2 hours.

Sel. Bridle reiterated the point if more time is needed use the municipal lot, and there was general discussion with Chairman Griffin asking, what is next step on the restrictions, and Mr. Welch stated the board would have to vote. He suggested a survey for residents. Consensus was to get information from the public with phone calls, visits, or emails, and that it should go on the agenda in two weeks. There was further discussion and invitation to the public to comment and Chairman Griffin stated a decision will be made at the Dec. 9<sup>th</sup> meeting.

### 2. Bond reduction for 482 High Street to \$2,463.70 (10% retained from \$24,637)

Mr. Welch noted this was recommended by the Planning Board and DPW.

Selectman Barnes MOTIONED to APPROVE the Bond reduction for 482 High Street to \$2,463.70 (10% retained from \$24,637), SECONDED by Selectman Bridle.

VOTE: 5-0-0



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Sel. Woolsey asked about the new energy memo and wanted to know if it was something we should look into. Mr. Welch stated we are looking into it, it is regarding residents perhaps purchasing electricity plans with other contractors, but still through Unitil, for a reduction in cost. She asked about rail trail expenses having their own section in the budget. Mr. Welch stated probably a sub-line item to keep track. She asked if we check on whether part time hired personnel have their own private medical insurance. Mr. Welch answered that is not a question you can ask in the hiring process, it is confidential, we have no legal right to ask. There was general discussion on part timers hurt on the job are covered under workers comp.

Sel. Barnes noted she attended the NHMA conference and she spoke with the executive director on how to utilize NHMA more, and that she is looking to get on the legislative committee there. She noted the belief it would benefit Hampton. Sel. Woolsey agreed it was a good idea and Mr. Welch noted it is a volunteer opportunity. She asked about McDonald's large a-frame signs. There was general discussion about that type of sign and allowing them and it being temporary. There was also general discussion about past practice with this type of sign, particularly maintaining sidewalk footage and size. Chairman Griffin stated sign issues should go to the building inspector.

Sel. Barnes commented on a petition from Fellows Ave., and if it needed to be dealt with. Mr. Welch stated it already had been, unless the Planning Board reversed a decision, regarding an entryway in question, which is actually town property. Mr. Welch also noted work to be done on that area next year, and that it is currently blocked off.

X. Closing Comments

XI. Adjournment

At 20:47 PM, the Selectmen Waddell adjourned the meeting on the MOTION of Selectman SECONDED by Selectman Woolsey.

VOTE: 5-0-0

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Rick Griffin, Chairman