

**HAMPTON BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
April 4, 2005 7:00 PM**

PRESENT: James Workman, Chairman, Cliff Pratt, Vice Chairman
Rick Griffin, Ben Moore, Virginia Bridle-Russell
James Barrington, Town Manager
Karen Anderson, Administrative Assistant

I. SALUTE TO THE FLAG

Representative Thomas Gillick led the audience in the flag salute.

II. ANNOUNCEMENTS

Mr. Pratt announced that the Recreation Department has a brochure out regarding the spring and summer program offerings and sign-ups are now open for summer camps.

Mr. Griffin said that he enjoyed his trip to Japan and he thanked everyone that called while he was away and he is trying to return all of the calls. He confirmed that Selectmen should not publicly announce when they will be away.

Mr. Moore announced that the Friends of the Lane Library will be having their annual book sale this weekend.

III. APPOINTMENTS

1. Mr. Thomas Gillick, Re: Default Budget

Mr. Gillick thanked the Board for this opportunity to speak about his concerns with the default budget and read the following prepared statement: *"Mr. Chairman, thank you for affording me the opportunity to speak to you and the Board and the Manager about concerns that I have with respect to the default budget adopted by the voters of Hampton on 3/8/05 and the subsequent actions of the Board particularly with respect to Public Safety, and the inter-relation of all of that with the respective roles of the Board and the Manager and the implementation of the budget, since as I understand it, only the Manager can encumber and/or spend any of that money. My concerns are not only those of a voter or a Senior Citizen or a veteran, or a property owner who pays over \$6000 per year in property taxes, but, one who has sat at all the chairs at your table except that of Mrs. Anderson, with whom I had a wonderful working relationship. So I come with empathy and sympathy and in no way do I intend to be adversarial or confrontational. I do intend to ask questions of you, some of which may be considered hard. I do not expect them to be answered tonight, but I do request that they be answered in due time and in public. Beyond that, Mr. Chairman, I come as a member of the State Legislature where I sit on the Municipal and County Government Committee, before which come those matters having to do with the operation of Official Ballot Law or so-called SB-2 Towns of which Hampton is one. "*

"I need not remind you folks that the operation of the Town of Hampton can be complicated because it is a Town operating under the Town Manager law, the Budget Committee law, and the Official Ballot Law. And that the only authority that can be exercised locally, is that which is given by the State. I have here the 2003 Hampton Annual Report which contains the proposed operating budget for the Town for 2004 and the annual report for 2004 which is different from the previous year because it contains not only the proposed operating budget for 2005 but also for the first time a line by line default budget mandated by the Legislature so that the voters of Hampton would know the "purpose" for each line, the amount for each line and how that amount was calculated. The Legislature heard many stories about abuse or mischief on the part of Boards of Selectmen and School Boards in SB-2 jurisdictions operating on default budgets and set out to prevent and correct those situations. Hence, the Department of Revenue Administration was directed to develop the "purpose and amount" form for default budgets that was used in Hampton this year by all the players for the first time. The intent of the form, for example, is to inform the voters of Hampton of the details of the proposed default budget so that they may make informed decisions when they vote."

"I would respectfully suggest that you pay particular attention to RSA 32:3 V, "Purpose", effective 8/5/2003 and to RSA 32:5, VII (a & b) effective 8/10/2004. I am not implying that this has not been done, but I want to call your attention to the importance of the word "purpose". If it was represented to the voters of Hampton that the "purpose" of the amount shown on line 4220-4229, Fire Department, in the default budget was \$3,683,896 and that the "purpose" of that amount was to operate the Fire Dept. in 2005 with the staff as it was operated in 2004 based upon the arithmetic shown, why is the Manager now recommending that staff be reduced? As I understand it, Mr. Chairman, there are only two people who work for the Board; the Assessor, and the Manager. Everyone else, by statute works for the Manager, hence my previous question. Mr. Chairman, I have watched as the Board has collectively put their Town Manager hats on and become involved in the area of Public Safety as they discussed Fire Dept. equipment and Command Structure. I suggest that this is the Manager's area of responsibility and I respectfully question the Board's authority in that area, although I recognize that RSA 37:3 and RSA 37:6 make reference to "subject to the direction of the Selectmen". I would hope that this Board is not going to micro-manage the Manager."

"Mr. Chairman, am I to understand that this Town, a water oriented resort community with a major portion of its economic health dependent upon that orientation, has now stated publicly to its residents, their visitors and guests, and the millions of tourists whom we welcome here, that if and when they are in or on the waters of Hampton that we are no longer responsible for their safety. Will the extension of this policy mean that we will have no lifeguards at the Town beaches this summer at Plaice Cove and the south side of the Hampton River? Was not our former position of being well prepared and equipped and in a position to make a good faith effort toward public safety in and on the water far more legally defensible than the latter? Have you not now put the Town at risk for enormous possible expensive litigation in the event of possible water related accidents? From time to time in my experience, Mr. Chairman, I have heard the uniformed public safety departments, police and fire referenced as para-military organizations. Is there anyone at the table with you Mr. Chairman who had had any experience in either of these type organizations or any military experience that would provide background exposure or knowledge that could be the basis for informed decisions as to the what, where, and who of a command structure?"

"Mr. Chairman, did not the former Board of Selectmen say to the people of Hampton that they were so impressed by the performance of this Manager that they rewarded him with a five year contract at close to \$100,000 per year? If that is so, why cannot the Manager assure the people of Hampton and the Board that he will operate the Town for the balance of 2005 with the help and assistance of the Town employees that he had in 2004 (and who incidentally must have played at least some small role in making him look good) in accordance with the "purpose" of the 2005 default budget? I would hope that we would not know find out that the default budget was improperly prepared or that it contains errors. This concludes my remarks, Mr. Chairman, I apologize if I have been too lengthy, but I am sure that my concerns are shared by many of my fellow citizens and I am confident that you will give them your serious consideration. Thank you all, again."

After reading his statement, Mr. Gillick told the Board that he received a four-page email from town counsel today and it is his understanding that the Town Manager intends to move money around within the default budget as he sees fit and he does not feel bound by what was on the DRA form. He said that he is sincerely troubled and that this is exactly the type of mischief that the Legislature was attempting to prevent.

2. Mr. Robert Barry, Administrator, State Bureau of Highways

Mr. Barry was joined by JoAnne Fryer from CLD Engineers. Mr. Barry explained that the purpose of this meeting is to bring the Board of Selectmen up to date on the reconstruction of the Exeter Road Railroad Bridge. The existing structure was built and owned by B & M Railroad in 1926 and three years ago the State of New Hampshire entered into an agreement with B & M to relieve them of their responsibilities for railroad bridges over town and state roads. Mr. Barry said that in September, 2001 he wrote to Mr. Barrington and advised him of the situation and proposed a Memorandum of Understanding that the State would provide a funding mechanism to reconstruct the posted bridge that is a problem to the town.

The bridge is rated for 11 tons and is limited for transporting legal loads. At that time the town came back to the State with an agreement and an engineering study was conducted with CLD which resulted in the plans for a new bridge, south of the existing bridge which would have realigned the intersection of Exeter Road and Lafayette Road. The Department of Transportation felt it was a good solution but based on the costs and available Federal funds, determined that it could not financially support that project at this time. The agreement with the Town was rescinded and the State has proceeded as quickly as it could to design an alternative to make the bridge safe for legal loads. Mr. Barry explained that the State entered into an agreement with CLD and developed this plan to rehab that structure.

Ms. JoAnne Fryer noted that the average daily traffic on the bridge is 16,000 vehicles and the bridge is posted at 11 tons. The plan was shown to the Board, noting the location of the utilities and extent of the work. She noted that the overall width of the completed bridge will be exactly as it is today. The overhead utility lines and gas line will require temporary relocation during the construction period, and in order to facilitate the construction some temporary and permanent easements will be required.

The construction schedule has been based on rapid bridge construction elements to minimize the time the road will have to be closed. It is anticipated that the project will take six weeks, with the road closed for a total of three weeks. The detour will utilize Route 101 to Route 27. There is a possibility that the work could be done as a 24-hour a day project to minimize the time it is closed, and it is expected that there will be penalty clauses in the contract for not meeting deadlines. Mrs. Fryer said that if the required easements and permits are received in a timely manner, it is hoped that the work will begin in October, 2005. If the required documentation is not completed in time for the May advertisement deadlines, the project could be delayed until spring, 2006. Mr. Barry said that he has spoken with the Town Manager to try and get some assistance in getting the required easements. Mr. Barry said that if that it is necessary to delay the work, he will come back and ask the Board of Selectmen to give them direction as to what three weeks they would find acceptable in the spring, either before Memorial Day or just after Memorial Day.

Mr. Griffin said that there may be some way that the Lessard property, adjacent to the bridge, may be able to help the detour traffic. Mrs. Bridle-Russell asked who is paying for the project. Mr. Barry said that the State is paying 100% of the project and will maintain ownership of the bridge until such time that the Town wants to move forward with the replacement of the bridge. Mrs. Bridle-Russell noted the problem the town has with not being able to provide police details. Mr. Barry said that they have budgeted funds for the detail work and understand that they can't always come from the host community. Mr. Pratt asked if the load limit will increase. Mr. Barry said that the bridge will be able to support the legal load limit, which means that it will be rated for the maximum weight allowed on a state or town road. Mr. Pratt thanked the State for doing this because the bridge has been in need of repair for awhile. Mr. Workman said that he will think positive that the easements will be in place quickly and the work will be done in October. Attorney Gearreald asked if the 16,000 vehicles have been seasonalized. Ms. Fryer said that 16,000 is the annual average and it has not been seasonalized. Mr. Barry said that could be determined if necessary. Mr. Workman said that may become relevant if the October time frame is not met. Mr. Barrington asked if there was a particular easement form that the State wanted used. Mr. Barry will fax a copy to the Town Manager. The plans were left with the town for review by the public.

III. OLD BUSINESS

Town Manager's Report

Mr. Barrington told the Board that he wanted to make a statement about what he calls the "acts of terrorism" against some town officials. He stated that he takes such actions seriously and fully intends to prosecute the offender or offenders if they can be identified. The state lab has become involved in the investigation. While he finds it hard to believe that any town employees would stoop to such despicable actions, the town will not hesitate to prosecute ANYONE who is proven to be responsible. He asked any citizen who witnesses any such actions to come forward and report what they know in order to bring these

injustices to a speedy halt. He said he would hope that no employees are involved, although the note seemed to indicate that there were.

Meeting Schedules

Mr. Barrington said that he spoke with Superintendent Gaylord about allowing the School Board to use the Selectmen's Meeting room on April 18, and suggested meeting with the School Board on the 3rd Monday in May (May 16). He noted that the WHS School Board also wanted to join the Board of Selectmen that evening. He confirmed that the SRO program for the fall was part of their agenda, as well as other issues related to all three default budgets. Exeter Town Manager Russ Dean called to confirm that the Exeter Board of Selectmen would be happy to host the Hampton Board on April 18, and would also be happy to provide a tape of the meeting for us to replay on Hampton's Channel 22. Exeter is working on a proposed agenda for the evening and promised to send it over in the near future.

Low & Moderate Income Homeowners Property Tax Relief

The forms are in and can be picked up at the Assessor's Office for the low and moderate income tax relief. This allows qualified taxpayers to receive a small rebate from the State.

6 N Street

The residents at the 6 N Street condos have asked if the town would consider leasing parking spaces to them on the N Street right of way. Town Attorney Gearreald has investigated the possibilities of this approach from a legal standpoint. He is of the opinion that it is something the Board can do if they so desire. This could potentially address some of the issues the Board has heard about from other properties.

Marine Patrol/Boat

Chief Wrenn reported that Director Dave Barrett of the Marine Patrol has expressed interest in assuming responsibility for the boat dock. Mr. Barrington said that he has subsequently had a call from Director Barrett and he asked that a letter be sent to him inviting him to meet with him about the future of the boat dock. He told me that he was interested in exploring the possibility of having the Marine Patrol take over the future maintenance of the dock, while noting that he would not be able to make the final decision. Mr. Barrett indicated that Deputy Commissioner Sweeny would probably come to discuss the situation with us as well. As an update on the engineering bills, the grand total spent on the boat dock through March 26th is \$50,526.03. Finance Director Duhamel reported that upon further investigation, the prepayment penalty does not apply since we made the final payment on the boat in March. Fire Chief Lipe provided a cost comparison for leaving Marine One in the water or removing it for storage behind Fire Station 2. Removing it is the less expensive option. Mr. Barrington said that as he understands the directive that he has at this point in time, and will be making arrangements to remove the boat from the water and store it pending a vote on its disposition at the next town meeting.

Board of Selectmen Calendar Draft

Mr. Barrington said that he has begun working on the calendar for the upcoming year as the Board requested. A draft has been provided which can be built upon based on the level of detail the Board would like to see.

Library Position

Library Director, Catherine Redden sent over a note announcing the posting of a position at the Library – Head of Adult Services.

Questions for the Manager

Mr. Moore asked if anything needs to be prepared for the meeting in Exeter. Mr. Barrington said that Mr. Dean will be putting a draft agenda together and will be sending it to Hampton for review.

Mr. Moore confirmed that individual Board members can give thoughts about the calendar to the Town Manager.

Mr. Griffin said that regarding parking on N Street, the leasing option sounds interesting and may be a creative way to help these residents out.

Mr. Griffin asked if the boat was purchased through a grant and if Marine Patrol would have an interest in using the town's boat. Mr. Barrington said that the boat was purchased from 100% tax payer's money and the dock is being 100% funded through a grant. There is also a cash contribution from the developer in the area being used to offset the dock costs. Mr. Griffin asked if the Marine Patrol has their own boats. Mr. Barrington said that they do and come down to Hampton on a periodic basis. When we first talked to them about a dock, they were very enthusiastic because they would be able to increase their presence in Hampton with a place to maintain their boat, rather than trailering it back and forth. Mr. Barrington said that their presence has been needed with the Jet Ski enforcement for several years.

Mr. Griffin asked if the position at the library is a new position. Mr. Barrington said that it is not new and this would fill a vacancy as a result of a resignation.

Mrs. Bridle-Russell asked if the three owners of the N Street condos are different from the three owners that met with the Board earlier. Mr. Barrington said that they are, and they have suggested the leasing arrangement which is not something the town had thought of. He believes it is worth exploring if the Board is interested.

Mrs. Bridle-Russell asked if the Board of Selectmen has any jurisdiction over the library. Mr. Barrington said that the Library has their own Board of Trustees, and with respect to the use of their budget, the Selectmen's control may be limited. Mrs. Bridle-Russell said that with the number of management staff they have, she wondered if they could consider giving up the position. Mr. Barrington said that if the Board would like to convey that message he could do that. Mrs. Bridle-Russell said that she did not want to do that at this time. Mr. Pratt said that he thinks that Board should send that message. He said that his attitude is that all department have to do more with less it would be helpful of the library could take that same approach. If one of the existing positions could take on that work he would like to see that, but he agrees that the Board of Selectmen doesn't have that control. The Board took no action on this.

Mr. Pratt said that he is in favor of the N Street arrangement to solve the parking problem.

Mr. Pratt reminded the Town Manager that the Christmas lights are still up downtown. Mr. Barrington said that he is aware of that. He explained that in the past the lights have been put up and taken down by firefighters on overtime, which is not going to be done this time. Mrs. Martin has been looking to see if she can find a volunteer to do it or if she can hire someone that could do it at a reasonable cost. Mrs. Bridle-Russell asked if the town wanted to assume the risks of a volunteer on a truck to do that. Mr. Barrington said that the volunteers that they are talking with are fully qualified and insured.

Mr. Moore MOTIONED based on the comparative costs, that it is up to the Town Manager to determine if the marine boat is operated this season.

Mrs. Bridle-Russell SECONDED

Mr. Pratt asked if the direction had been given to take the boat out of the water. Mr. Barrington said that if it is left to his discretion, he will leave it in the water and authorize its use. Mr. Pratt asked what the expense of that is. Mr. Barrington said that the difference between leaving it in or taking it out was about \$700 and the expenses to operate the boat for the year was just over \$3,500. Mr. Pratt asked that if it is used, will firefighters be called in on overtime. Chief Lipe was present and said that the boat runs with three people and station coverage would not be called in unless there was a second call and both stations were out. He said that refresher training will be done on duty and there will be no overtime costs for training. Mr. Griffin asked if the boat was used all twelve months. Chief Lipe said that it was left in the water this year, but based on the beating it took from the westerly winds he will not do that again.

Attorney Gearreald spoke up and told the Board that Dr. Joseph Mastromino was present and would like to speak with the Board about the importance of the rescue boat. Mr. Workman said that he did not feel that was necessary at this time.

VOTE: UNANIMOUS FOR

Mr. Griffin asked about the status for the infrastructure project at the beach and specifically if there was a time schedule for the work on Kings Highway. Mr. Barrington said that Mr. Howe is scheduled to meet with the Board next week to provide that update.

Mrs. Bridle-Russell asked if the Town Manager has received a letter in regard to P Street. Mr. Barrington said that he has and would like to discuss that in non-public with the Board.

Mrs. Bridle-Russell pointed out that the Transfer Station was sending out the notices that they will be closed on Tuesday's and Sunday's beginning on June 15 and she hoped that applied to everyone, including the State.

Default Budget

Mrs. Bridle-Russell said that the town approved a default budget based on the budget from last year. Last year some services were cut but no employees were lost. She asked how the town is in this situation now. How do we take a budget from last year, add salary increases and debt services and now have to lose people and more. Mr. Barrington explained that there are a lot of things that are not included in a default budget such as increased prices of fuel, increases to run a larger police station, overtime, increased prices of salt, some of the benefit packages. The amount of last years' budget plus and minus one time expenses and debt service can leave a number that is not sufficient to fund the next year. There has been a lot of discussion about the default budget printed in the town report. He said that as he and the his staff has looked at the law and examined the questions raised, they do not see that the law changed. The form shows how the number was computed. He noted that Hampton has been fortunate to have John Adams and now Dawna Duhamel as Finance Director's and they have taken their responsibility on a default budget very seriously. Most of the calculations are black and white, while some items such as building maintenance and vehicle replacement programs are nebulous. Mr. Barrington said that some people have suggested that the numbers printed in the default budget by department are the budget numbers to be followed, but assuming that they are, he has found nothing in the law that would change the allowance in the law that allows line items to be overspent or under spent as long as the bottom line is complied with. Mr. Barrington read RSA 32:10, noting that the Governing Body can transfer appropriations, except for that which has been specifically eliminated by Town Meeting. We find nothing in the law that exempts a default budget from that provision. Mr. Barrington said that there are clearly communities that have abused this and clearly that was part of the discussion before the Legislature, but it does not appear in the law. Mrs. Bridle-Russell said that should answer the question.

Mr. Pratt said that this is a bottom line budget and he told the Board that the County had an official challenge on this same issue and it went to the Supreme Court and they won on every case. The people in charge can control how the money is spent. That is his understanding whether it is an approved budget or a default budget. Mr. Pratt said that he feels the default budget is done.

Mrs. Bridle-Russell asked if the medical wages that can be taken out of the special revenue fund are now coming from that account. Mr. Barrington explained that in the past because the operating procedures at the fire department involved a call-back every time an ambulance made a run that overtime was easily calculated. Now they are no longer making an automatic callback, so the actual time of the people on the run is being charged to that fund. He added that on Mrs. Bridle-Russell's suggestion they are looking are at the incentives for the medical certifications and will be taking that cost from the special revenue fund as well. Mrs. Bridle-Russell said that amounted to about \$68,000 and she asked where that account that will go in. Mr. Barrington said that he anticipated that will be held in the reserve.

IV. NEW BUSINESS

Appointments to Boards and Commissions

Conservation Commission

Mr. Griffin MOTIONED that Dan Gangai and Ralph Falk be reappointed to the Conservation Commission for three year terms.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Two vacancies for alternate positions remain available.

Cable Advisory Committee

Mr. Griffin MOTIONED that Brad Jett and John Nickerson be reappointed to the Cable Advisory Committee three year terms.

Mr. Moore SECONDED

VOTE: UNANIMOUS FOR

Heritage Commission

Mr. Moore MOTIONED that Elizabeth Aykroyd be reappointed to the Heritage Commission for a three year term.

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

One vacancy for a regular member and one alternate position remain available.

Mosquito Control Commission

Mr. Pratt MOTIONED that Russ Bernstein be reappointed to the Mosquito Control Commission for a three year term.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Recreation Advisory Council

Mr. Griffin MOTIONED that Tim Andersen, and Bill Morrissey be reappointed to the Recreation Advisory Council for three year terms and that Jeanine St. Germaine be appointed to a three year term.

Mr. Moore SECONDED

VOTE: UNANIMOUS FOR

Highway Safety Committee

Mr. Pratt MOTIONED that Judith Park be reappointed to the Highway Safety Committee for a three year term and that Kevin Lonergan and Arthur Waddell be appointed to the Highway Safety Committee for three year terms.

Mr. Moore SECONDED

VOTE: UNANIMOUS FOR

There is still one vacancy for an alternate member.

Shade Tree Commission

There was no response from the member whose term has expired a vacancy from 2004 remains unfilled. Residents interested in serving on this commission were urged to contact the Town Manager's office.

Insurance Review Committee

Mr. Pratt MOTIONED that John Tortorice and Bill Hayes be reappointed to the Insurance Review Committee for a one year term.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Leased Land Real Estate Commission

Mr. Pratt MOTIONED that Arthur Moody be reappointed to the Leased Land Real Estate Commission for a five year term.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

USS HAMPTON Committee

Mr. Pratt MOTIONED that Sandy Buck, Theresa McGinnis, Richard Reniere, Ken Malcolm, Doug Aykroyd, Dyana Martin, and Dan Nersesian be reappointed to the USS HAMPTON Committee for three year terms and that Brian Warburton be appointed to the USS HAMPTON Committee for a three year term.

Mrs. Griffin SECONDED

VOTE: UNANIMOUS FOR

Library Trustee Alternates

Mr. Pratt MOTIONED that Dorothy Gooby and Linda Sadlock be appointed as Library Trustee Alternates for one year terms.

Mrs. Bridle SECONDED

VOTE: UNANIMOUS FOR

V. MINUTES

Mr. Pratt MOTIONED that the minutes of March 28, 2005 be amended as recommended by Attorney Gearreald.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

Mr. Moore MOTIONED that the minutes as amended be approved.

Mr. Pratt SECONDED

VOTE: 4 FOR

1 ABSTAIN (Griffin)

VI. CONSENT AGENDA

1. Coin Operated Amusement Permits
2. Raffle Permit
3. Entertainment Permit – New Ownership for Wally's Pub
4. Use of Patio for Food/Alcohol – New Ownership for Wally's Pub

Mr. Pratt requested that item #4 be pulled from the consent agenda.

Mrs. Bridle-Russell MOTIONED that the balance of the consent agenda be approved.

Mr. Griffin SECONDED

VOTE: 4 FOR

1 ABSENT (Moore)

Mr. Pratt asked if Wally's Pub has always served food on the patio. Mrs. Anderson confirmed that they had prior permission to do so.

Mr. Pratt MOTIONED that the use of the patio to serve food/alcohol be approved for the new ownership of Wally's Pub.

Mr. Griffin SECONDED

VOTE: UNANIMOUS FOR

VI. PUBLIC COMMENT

Mr. Alphonse Pullino, owner of Americab Taxi, and former manager of Vango Taxi said that he was extremely concerned with the proposal to reduce manpower at the fire department and police department. He said that he does not feel that the general public is fully aware what is going on in this area and he has been Chief Wrenn, Lt. Gidley and Lt. Sawyer for the past several years and they are doing a great job. He said that Hampton is a lovely place but since he came here he has seen a horrendous increase with the drugs in Hampton and he feels any cuts in the budget for the police and more so for the fire department are dangerous. Mr. Pullino said that he has documented incidents of injuries to himself and his drivers and has had to call upon the police to assist several times. Mr. Pullino said that he is having a serious problem keeping the problem people out of his taxis. Last year, he noted, he had a severe injury and was helped by the firefighters. He said that if the town has ever needed the police and fire, now is the time. He asked that the Board of Selectmen reconsider the cuts to the safety services because he sees what is going on at all hours of the night.

Mr. Vic Lessard told the Board that he just talked with Mr. Barry and Ms. Fryer about the Exeter Road Bridge reconstruction and reminded them that the drainage pipe under the bridge needs to be replaced. In regard to the default budget, he noted that when he was on the Board the Selectmen reviewed the manifest of bills each week and tough questions were asked. He asked how much money was turned back to the town last year. Mrs. Bridle-Russell said that it was about \$800,000. Mr. Lessard asked if that included the \$500,000 from the trust funds. Mr. Barrington said that it did not. He asked if the loader was in last year's budget. Mr. Barrington said that it was not. Mr. Lessard asked if the sanders were in last year's budget. Mr. Barrington said that he believed that they were. Mr. Lessard said that the loader was nearly \$100,000. He noted that the default budget is 8% more than last year's budget and there was a surplus last year. Mr. Lessard said that he would like to see the firefighters get back on, and in talking with them he told them that they have to give a little too.

Mr. Lessard said that he has talked to many people that thought they were voting on the default budget as was shown in the town report. He said what really bothers him is the thought that a firefighter would ever do some of the things that have been done in this town recently and he can't believe that anyone would stoop that low. Mr. Lessard said that the blame for the budget problems should not be on the Board of Selectmen, rather it is the Town Manager and the Department Heads that work under the Board as directors. Mr. Lessard said that it is not up to the Board of Selectmen to say who is going to be laid off. He is tired of people saying that the Board of Selectmen should be doing something different, and he added that the Board of Selectmen should not take a cut in pay since no one else did. Mr. Lessard asked what is going to be done about the Casino trash on Sunday's with the Transfer Station closed. He said that any rubbish that he gets at his place he will dump on the front lawn of the town office. Mr. Lessard said that the people that haul their rubbish for free to the transfer station now are doing the town a favor and they should be allowed to dump their rubbish on Sunday's. Mr. Lessard said that the Fire Chief came to the Board as a result of being told by the Town Manager to cut 15% from his budget. The Chief suggested to do that he would need to lay off 8 or maybe 12 firefighters and it is not fair for the Board of Selectmen to take the beating because of the way the Chief suggested his department meet the default amount.

Mrs. Jeanina Guzman-Scanlon said that she would like to speak about the idea on leasing the rights of way on Hampton Beach. She noted that the elimination of parking has been a serious concern for many people at the beach and the Precinct Commissioners recently agreed to support a committee that is going to be working with the Town Manager to find solutions that will help the town create a pedestrian strategy for Hampton Beach that might achieve handicapped accessibility, save parking and make the town more attractive, while preserving the ability for owners to generate income. It is an effort to work together and come up with solutions. She said she is opposed to the idea presented tonight of leasing parking; she has seen people in front of the Board that have had to get attorneys and have legal fights against the town at an expense to both parties and this takes away the opportunity to work together. Mrs. Scanlon said that she met with the Town Manager in February and presented her willingness to gather people and work together and at that time she requested street maps and measurements and she still has not received that information. Parking is critical and she is concerned with the one solution presented and how that would differ from metering the streets. She asked if somebody will be able to rent all of the streets? These are issues that need to be explored together and she understands the balancing act of the town doing things that need to be done with the need for people to generate income at Hampton Beach. Mrs. Scanlon asked that the Board not consider the leasing of the right-of way and she is pleading for the information she had requested. In the effort of working together, she wanted to share that many people thought they would be able to keep the fireman and policeman with the default budget, based on what was printed in the town report. She said it hurts deeply to know that the police and fire morale is low because the town is not supportive of them. Mrs. Scanlon told the Board that she came to Hampton Beach after the Old Salt fire and she has seen three fires on her street and has been very vocal about safety and setbacks regarding development on Hampton Beach. She said she grew up in Costa Rica and her grandfather was a firefighter and she has a real bond with them. She noted the assistance the paramedics provided during the summer to a Russian employee they had. She appealed to the Board to find another way to meet the default budget. Human life should be one of the priorities and therefore maybe cutting 15% across the board was not the way to go.

Mr. Michael Scanlon said that he is concerned about the decision to cut four firemen and he said that the default budget did not have the need to cut any positions. He said that there is something about team play that is important in an organization and that is extremely true when a life could be in jeopardy. He said that the town owes the firemen and policemen better leadership than what has been displayed regarding these cuts. Mr. Scanlon told the Board that he has spoken to at least two of the five State Representatives who believe that the town did not need to cut positions. What is being done is short-term and there will be increases based on the cuts that are already being made and not a single word has been said about the overtime impact. Mr. Scanlon said that he believes five of the people were layed off based on union special interests and he does not believe that the town will have the loyalty it deserves from the fire and police departments. The visitors expect 100% percentage. He asked that the Board of Selectmen reconsider the short term solution that they have been made. One point that was not correctly addressed was the summer police schedules last year; last year the shortages could not be filled, but it was not a due to a shortage of people.

Mr. Cal Wisner, 5 Gray Avenue said that he has been a resident since 1967, is a former member of the Budget Committee and School Board. He said that he has some genuine concerns with the way the default budget has been handled in all areas, but particularly with the fire department. He asked the Board of Selectmen if they were happy with where they were with the default budget. Mr. Workman said that they would not say that they are happy, but the required number has been reached. Mr. Wisner asked if the Board had factored in what the overtime budget would be with the reduction of the firefighters. Mr. Barrington said that a change in operations has been made where we don't automatically call in on overtime each time. The contract determines the staffing level and that does not affect the overtime. Mr. Wisner asked if call back is a requirement of the contract. Mr. Barrington said that management has made a decision to reduce that which is at the discretion of management. Mr. Wisner told the Board that he has had involvement with the fire department since 1972 when there was a fire at his house. He became even more sensitive to their needs as a result of his involvement with the School Board and hearing about their professionalism shown during sporting events when there were injuries. Mr. Wisner said that he is presently a Realtor and has worked with a number of the firefighters as they move into the area and he has been struck by their dedication and training and desire not just to be a firefighter, but to be a Hampton firefighter. The budget cutting can't help but hurt the morale in the department and he strongly urged the Board to bring the positions back and work to find another way to make other cuts. He added that he would not want to lose four firefighters and then see at the end of the year that there was enough surplus that we could have kept the people. We have the number one department in the State and Hampton should work to maintain that.

VI. ADJOURNMENT

Mr. Moore MOTIONED that the meeting be adjourned. (9:12 PM)

Mr. Pratt SECONDED

VOTE: UNANIMOUS FOR

Chairman

The Board of Selectmen met in a non-meeting with Attorney Gearreald for Collective Bargaining matters.