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PRESENT: M. J. Farinola, Chairman; Maryann Kasprzak, R. P. McDermott, Selectmen;
E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

Phil Chura, Crank Road, presented a gift of a framed photograph of the moment of silence at the 2010 Memorial Day Service on the Town Common to the Board.

MOTION: To accept the gift of a framed photograph from Phil Chura.

MOTION: R. P. MCDERMOTT

SECOND: M. KASPRZAK

UNANIMOUS

ROAD AGENT - MONTHLY REPORT: D. Robinson reported that the roadside brush cutting project is approximately 80% complete. The contractor will be going back to take care of “hangers” and deliver fallen wood to the Brush Dump. He added that the paving on Drinkwater Road (Boynton’s Hill) seems to be working well so far. He is watching the right side to ensure water travels to the catch basin. There may be a need for adjustment to the contour.

D. Robinson reported that there is disposed rubbish at the Brush Dump with no place to put it. He stated that he would talk with winter road maintenance contract J. Ziolkowski regarding issues at the Brush Dump. D. Robinson reported that there is a need to make arrangements to borrow a bucket truck from Seabrook Station in order to patch the roof over the salt shed.

D. Robinson added that he worked on road shoulders on Dodge and Stard Roads. R. P. McDermott asked that a list be prepared identifying the roads in the worst shape. D. Robinson stated that it’s important to get drainage projects done.

REQUEST TO USE CLASS VI ROAD TO ACCESS LOT 15, MAP 4. – STANLEY

BUXTON: M. J. Farinola reported that S. Buxton wrote to the Board on November 3, 2009 asking for permission to gain access to his field for pasture/haying from the Hampton Falls portion of this road. In his letter, he states that run-off has created a wet swale over time which has cut his field in two affecting the ability to get agricultural equipment to part of the field.

Board members discussed this request in conjunction with comments from abutters from Hampton Falls and Kensington and decided to set a date of Tuesday, September 21, 11 a.m., to walk the site with the Road Agent and S. Buxton. E. N. Small will post this meeting.

BUILDING INSPECTOR, CODE ENFORCEMENT, HEALTH - MONTHLY REPORT:

K. C. Kelley referred the Board to his Department report for the month of August that includes statistics and building, code enforcement and health matters. He noted that he attended a program on ticks and bedbugs and that informational pamphlets are available. He also stated that someone is available to assist him with a presentation.

REPAIRS TO EAST SIDE OF TOWN HALL: He reported that he has obtained a third estimate and plans to review all three and prepare a recommendation for the Board at its next meeting.

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FIRE CHIEF, EMERGENCY MANAGEMENT - MONTHLY REPORT: J. M. Lord referred the Board to the Department's report for August noting incidents and statistics.

CITIZEN EMERGENCY RESPONSE TRAINING (CERT): J. M. Lord informed the Board of this upcoming training program to be held starting October 18, for five consecutive Monday nights, at 6:30 to 8:30 p.m. at the Public Safety Building. He stated that there is no cost to participate. This training will provide general preparedness education.

EMERGENCY TREE REMOVAL SERVICES: J. M. Lord reported that he and E. N. Small will soon meet with Valley Tree Service to discuss what the Town is looking for in this regard.

J. M. Lord reported that he has contacted Scott Wade of Unitil with regard to meeting to review the application process before the Planning Board for future tree trimming in the Town of Hampton Falls.

AMBULANCE: J. M. Lord reported that Hampton Falls has an opportunity to upgrade its ambulance with a used ambulance from the Town of Seabrook. He provided Board members with history of when and how the Town purchased its current ambulance. He stated that the Seabrook ambulance is 10 years newer and well maintained. The cost is \$10,000 and the Fire Association plans to purchase it with the intention of requesting reimbursement the Fire Vehicle Replacement Fund from the voters through a warrant article in March 2011. E. N. Small added that this matter may need a public hearing.

J. M. Lord reported that the pump has been repaired; however, due to low water levels in Town, the pump test has yet to be done. It was also reported that the new fire engine will be checked over by Department members and then the truck will be driven to Maine for remaining work to be done (decals, etc.) and should be received mid-October.

POLICE CHIEF - MONTHLY REPORT: Police Chief R. Dirsa referred the Board to his Department report for August noting incidents and statistics.

TRICK OR TREAT NIGHT: R. Dirsa reported that Trick or Treating is set for 5 p.m. to 7 p.m., Saturday, October 30. M. J. Farinola again asked the Chief to reconsider the time suggesting 6 p.m. to 9 p.m.

Discussion took place with regard to trick or treating being scheduled during this timeframe for the last 15 years, safety and costs. M. J. Farinola stated he would be willing to fund the additional time for officers. R. Dirsa reported that the time has already been published; however, if the Board instructs him otherwise, he will do so. It was decided that the hours for trick or treating will be 5 p.m. to 8 p.m. and that R. Dirsa will present his findings to the Board.

ORDINANCE FOR THE REGULATION OF THE DEPOT: R. Dirsa reported that he has changed the wording as requested by R. P. McDermott and provided the Board with a copy. He asked the Board to review and consider scheduling a public hearing.

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• **OLD BUSINESS**

FINANCIAL REPORTS - GENERAL FUND BALANCE \$1,610,900

**TOWN CLERK – RECEIPTS \$37,894 MISCELLANEOUS RECEIPTS \$19,621
TAX COLLECTOR – RECEIPTS \$79,644**

SELECTMEN’S ACTION ITEMS FROM PREVIOUS MEETING: An updated listing of action items was provided to the Board. No comments were heard from Board members.

PERSONNEL POLICY HANDBOOK: E. N. Small presented a copy of the Personnel Policy Handbook. R. P. McDermott took the handbook for review.

2011-2012 LEGISLATIVE POLICY CONFERENCE – ADDITIONAL PROPOSALS: Board members reviewed the results of the nine additional items. These results will be brought forward by E. N. Small on the Board’s behalf.

CABLE FRANCHISE – PUBLIC HEARING NOTICE AND PACKET: A public hearing is scheduled for Wednesday, October 6.

HOURS OF THE ADMINISTRATIVE ASSISTANT – PLANNING, ZBA, BOOKKEEPING, AA TO TA: Results of a four-week review were provided to the Board. E. N. Small noted that the four-week timeframe includes some vacation and holiday hours.

APPOINTMENTS TO THE SOLID WASTE COMMITTEE: E. N. Small reported that he hopes to have appointments for the Board’s next meeting.

**BRENTWOOD HOUSEHOLD HAZARDOUS WASTE DAY – SATURDAY, SEPT 25,
9 AM – NOON, HIGHWAY GARAGE, ROUTE 111A**

DAVID TEN EYCK – FUNCTION HALL: M. J. Farinola inquired as to topics Mr. Ten Eyck wished to discuss with the Board. D. Ten Eyck expressed concern with the proposed use of the former Dexter Shoe Store, 1 Lafayette Road, of a poker room that includes gambling and alcohol. He stated that once he learned of this proposal, he met with individuals at Town Hall and learned of the Planning Board process and that the project had been conditionally approved. He stated that he feels the Townspeople were not legally and properly and transparently notified.

M. J. Farinola provided information on the application process before the Planning Board which includes newspaper legal notice. M. J. Farinola added that a function hall was determined to be a legal use by the Town’s Circuit Rider Planner.

D. Ten Eyck stated that moral issues and traffic, gambling and alcohol related problems will be addressed by the Police and Fire Departments. He read the legal notice wording for Case #10-07-01 and asked if anybody present could say that the wording provided transparent notice as to

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what is intended for this property. He added that he appreciates the time and effort people in Town have put into the process, however, felt that the matter was treated in the interest of efficiency and was rubber-stamped. He requested the Board of Selectmen issue a cease and desist and start the process over.

D. Ten Eyck stated that if the town at large says it wants a proper legal notice, it should be done. He stated he is faulting the process and that the Planning Board should have addressed this when processing this application, that there was a material misrepresentation that may have been unintentional given the scope and qualities of the project. M. J. Farinola stated that the Board of Selectmen has no authority to stop the project whereas the role of an abutter directly affected could appeal.

D. Ten Eyck repeated that he feels it's his civic responsibility and is compelled from the heart to say something about a process that was not done in the best interest of the Town, open and transparent. M. J. Farinola stated the Board appreciates his concerns.

BILL KENNEY – ELECTION RULES: W. H. Kenney was not present. This matter was not discussed.

- **NEW BUSINESS**

TOWN REPORT – RFP: The Board reviewed an offer from Proforma, the printing firm who prepared last year's town report, to print the next town report for \$50 less than last year's price. Discussion took place with regard to the work done by Proforma and whether Proforma would accept the job for \$100 less than last year's price.

MOTION: To accept the price of Proforma for \$100 less if acceptable to Proforma; otherwise, to accept the Proforma offer of \$50 less than last year.

MOTION: R. P. MCDERMOTT
SECOND: M. J. FARINOLA
2 IN FAVOR, 1 OPPOSED, PASSES

CASTLEBERRY CRAFT FAIR PERMIT: M. J. Farinola signed the Selectmen's Permit on behalf of the Board. Chiefs R. Dirsra and J. M. Lord requested that Castleberry be asked to consider other events taking place in time when considering a date to schedule its event. This matter will be forwarded to the Recreation Commission. E. N. Small reported that Castleberry Fairs donated \$2,000 to the Bandstand Concert Fund.

OTHER

Nancy Stiles: N. Stiles was present to let the Board know that she is running to represent Senate District 24 which includes Hampton Falls and asked that the Board contact her should they have any questions.

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Primary Election: T. Samway, Old Stage Road, stated that the Town did not do a good job of policing and keeping election signs off municipal property. He suggested that the Board assign someone to remove signs as needed. E. N. Small reported that K. C. Kelley did pick up a number of signs.

M. J. Farinola asked if others were happy with the location of electioneering and stated he would prefer the two original spaces at the location outside the Town Clerk's office. T. Samway noted that the Board of Selectmen and Police Chief have jurisdiction of the parking area. M. J. Farinola suggested that the Board of Selectmen establish a policy and acknowledged the concerns of safety, traffic flow and the potential of slates falling from the roof. R. Dirsa stated he has received a fair amount of comment from voters that they liked the electioneering area away from the door as they felt intimidated. M. J. Farinola stated that the matter was reviewed by counsel.

MOTION: That the Town Administrator drafts a policy re-establishing the electioneering area equivalent of two spaces parallel to the Town Hall building.

MOTION: M. J. FARINOLA
SECOND: M. KASPRZAK

R. P. McDermott asked that the Board look at the rules prepared by the Moderator. M. Kasprzak agreed with R. P. McDermott.

VOTE: 1 IN FAVOR, 2 OPPOSED, DOES NOT PASS

MOTION: That the Town Administrator drafts a policy establishing the electioneering area to be equivalent of three to four parking spaces opposite the ramp entrance to the Town Hall addition.

MOTION: R. P. MCDERMOTT
SECOND: M. KASPRZAK
UNANIMOUS

REVIEW AND APPROVAL OF PREVIOUS MINUTES SEPTEMBER 1:

MOTION: To approve the minutes of the September 1 meeting as written.

MOTION: M. KASPRZAK
SECOND: R. P. MCDERMOTT
UNANIMOUS

**NEXT SELECTMEN'S MEETING – WEDNESDAY, OCTOBER 6, 2010, 6:30 P.M.,
TOWN HALL**

MOTION: To adjourn the meeting 8:15 p.m.

MOTION: M. KASPRZAK
SECOND: R. P. MCDERMOTT

**BOARD OF SELECTMEN
TOWN OF HAMPTON FALLS**

**SEPTEMBER 15, 2010
TOWN HALL**

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