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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

Call to Order: 6:30 p.m.

SCHOOL BOARD – IMPACT FEES: Selectmen acknowledged receipt of a January 5, 2011 letter of request from School Administrative Unit 21 for release of \$7,770.97 of impact fees collected. The letter identifies the capital facilities Winnacunnet High School has constructed in anticipation of new development.

M. J. Farinola noted that this request does not relate to the previously discussed addition to the Lincoln Akerman School and that it is dealing with an expiring impact fee.

MOTION: To release the balance of the expiring account or \$7,770.97.

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

AMENDMENT TO THE DEPOT ROAD ORDINANCE: M. J. Farinola reported that a proposed suggestion has been received in this regard. He noted that a public hearing has already been held, however, it seemed to make sense to bring back the matter for reconsideration.

E. N. Small referred the Board to the new proposed amendment as well as what was presented before. He stated he spoke with Local Government Center counsel and learned that there is no need for another hearing but that the Board of Selectmen has the authority to reconsider as this is town-owned land.

M. J. Farinola read the wording of both the old and the new wording for the benefit of the public. M. Kasprzak asked Chief Dirsa if the new wording was acceptable to him and he replied yes.

MOTION: To accept the amendment to the Town of Hampton Falls Depot Ordinance with regard to item number five as read by the Chairman.

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

R. P. McDermott stated he does not want to prohibit hunting and that he is not in favor of target shooting. M. J. Farinola stated that it is within the rights of the town to amend the ordinance; however feels it falls contrary to other state statutes.

Discussion was opened to the public. W. Kenney, Oak Drive, stated that he disagreed with item number 10 (inconsistency with other ordinances) portion of the ordinance and stated that he feels this amendment gives the town a broad scope of powers. T. Janis, Depot Road, noted that he lives closest to the area and supports the amendment to prohibit target shooting as he uses the area for recreational purposes with his family. W. Skoglund, Depot Road, supported the

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amendment and noted that people come from all areas, not just the town, to use the Depot. He stated that it is the Selectmen's job to protect residents and children of the Town. L. Smith, Old Stage Road, expressed concern with the Selectmen opening the Town to liability by having many discussions concerning the problem at the Depot and not addressing it. He encouraged the Board to support the amendment. T. Tucker, 42 Coach Lane, stated he can see the marsh area from his house which means that a bullet can come through. He stated he is not in support of a place for a target shooting range. M. Kenney, Meadow Lane, stated she heard from a representative of Seacoast Youth Services that he was kayaking when shots were fired and he could not get out of his kayak for hours. L. Stan, Meadow Lane, stated her support for the Chief's requested amendment and noted that the area is a popular recreational open area and indicated that target shooting is meant to be done in a regulated range with a back stop and berm. She stated this issue is not a matter of rights as anyone within the letter of the law may bear arms and added she would like to see a committee formed to see what more can be done with this area of waterfront.

VOTE: 2 IN FAVOR, 1 OPPOSED, PASSES

HIRING OF PART TIME POLICE OFFICER – SCOTT SANDERS: R. Dirsra has recommended the hiring of S. Sanders as part-time police officer. The Board signed an appointment form.

MOTION: To appoint Scott Sanders as part-time Police Officer for the remainder of 2011.

MOTION: M. J. FARINOLA

SECOND: M. KASPRZAK

UNANIMOUS

S. Sanders arrived later in the meeting and introductions were made.

COMBINING THE OFFICES OF TOWN CLERK & TAX COLLECTOR- TOWN WARRANT – *OPINION OF THE SECRETARY OF STATE'S OFFICE REGARDING A VOLUNTARY COMBINING OF THESE OFFICES: THE STATE HAS A PROCEDURE FOR COMBINING THESE OFFICES, TOWNS MUST FOLLOW THIS PROCEDURE.*

RSA 41:45-A: M. J. Farinola reported that the Board of Selectmen met on December 28 with the Town Clerk and Tax Collector and their staff members. At that time, the Board received information and advice with regard to combining these offices. Also discussed was whether the matter would be put to the warrant or whether employees would voluntarily combine the offices. The matter was continued to this meeting to allow for further consideration.

M. J. Farinola asked if there are any additional thoughts from the Board. R. P. McDermott stated he has no issue with combining the offices and stated he felt it would be helpful within the office and helpful to residents.

MOTION: To prepare a warrant article to combine the offices of the Town Clerk and Tax Collector in accordance with RSA 41:45-a.

MOTION: R. P. MCDERMOTT

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SECOND: M. J. FARINOLA

M. Kasprzak stated that the wishes of the town will come through the vote and that the Selectmen will have to follow that direction. She added that the information provided to the Board did not show any great monetary benefit to combining the offices. She stated she was not sure the timing is right and noted drawbacks in the amount of personnel and training needed. R. P. McDermott stated that he felt Selectmen should try to make changes or make things better in the Board's view.

H. Knowles stated she understood from the last meeting that Selectmen McDermott wanted figures for consideration and now is learning differently. She added that in larger cities and towns combining the offices has been a good idea. In these situations, there has already been a full-time employee with benefits making the other employee a part-time position. She noted that there are additional duties done by the Town Clerk and Tax Collector in Hampton Falls that do not fall under the current or combined position(s). H. Knowles stated that whoever would run for this position would want full-time salary with benefits. M. Hill offered additional cost information to the Board. The Board did not accept it at this time. M. J. Farinola stated the matter is up to the voters.

VOTE: 2 IN FAVOR, 1 OPPOSED, PASSES

- **OLD BUSINESS**

FINANCIAL REPORTS-GENERAL FUND BALANCE: \$2,200,000

ACTION ITEMS FROM THE LAST MEETING: Board members reviewed the updated listing of action items. No comments were heard at this time.

2011 PROPOSED BUDGET WORKSHEETS - BUDGET HEARING – JANUARY 12, TOWN HALL, 7 PM: E. N. Small provided summary budget sheets to the Board. Individual budget sheets are forthcoming. M. J. Farinola reported that the Board did not meet its goal of reducing the town budget by five percent but may reduce it between one and three percent.

TOWN MEETING AND SELECTMEN'S INTRODUCTION: E. N. Small reported that the Lincoln Akerman School gymnasium has been requested. Assignments of who is to present which budget line and warrant article has yet to be done. M. J. Farinola is preparing a Selectmen's statement. It was noted that the deliberative session is scheduled for Saturday, February 5, 9 a.m.

JOINT LOSS MANAGEMENT COMMITTEE'S RECOMMENDED SAFETY POLICY:

E. N. Small distributed a copy of this committee's last meeting minutes noting that they have recommended an updated Safety Policy. This update is a result of a visit from the State Department of Labor. The Committee will be presenting this Policy to the Selectmen at its meeting of January 19. Once adopted by the Board, E. N. Small will bring it to the February 9 meeting with the State and request a reduction in the fine.

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2010 TOWN REPORT COVER: E. N. Small recommended the Town Report cover include photos of the Raspberry Farm. The Board agreed.

2011 PROPOSED TOWN WARRANT: E. N. Small reported that he made changes to the warrant to include zoning and building code warrant articles and added a warrant article for a sound system for the Town Hall. He asked the Board to review and let him know if changes are needed so that they can be made and the warrant posted on January 24. M. J. Farinola stated the warrant article for the combination of the Town Clerk and Tax Collector offices is to be added as the last item before other business.

GASB STATEMENT 45 – REQUIRES LOCAL GOVERNMENTS TO BEGIN REPORTING POST-EMPLOYMENT BENEFITS COST AND OBLIGATIONS. THIS MAY REQUIRE AN APPROPRIATION: E. N. Small will be addressing whether the GASB 45 requirement applies to Hampton Falls with the auditors when they are in on January 17. This requirement may not apply to Hampton Falls.

TOWN HALL PORTICO – SUGGESTION TO HOLD ON PROJECT – ASSESS STRUCTURAL CONDITIONS: E. N. Small reported that the Town Improvement Committee has asked for reconsideration with regard to the portico project in that they would like to identify the needs at the Town Hall and work this project in with other needed improvements setting priorities. Selectmen decided to proceed with the portico project.

RESIDENT SUGGESTS A LOAD LIMIT ON FRYING PAN LANE: Selectmen discussed an email received from J. Ratigan, Penhollow Lane, with regard to his concern of large trucks damaging the road. The Board acknowledged that a portion of this road is Class VI and that the Class V portion is posted with a weight limit. A. Haggart, Frying Pan Lane, stated the problem is with enforcement. She added that she feels truck drivers are using the Class VI portion as a short cut. R. Dirsra noted that the roads are also posted “No Through Trucking.” M. J. Farinola suggested that the Police Department make an effort to enforce this for a period of time and R. P. McDermott encouraged residents to report information to the Police Department.

PUBLIC HEARING FOR THE ACCEPTANCE OF HARDY LANE AS A TOWN ROAD- JANUARY 19: Board members signed the posting notice for this hearing.

UPDATE FOR THE REMOVAL OF “DEAD TREES” ON 88 JUST AFTER BEECHWOOD AND BEFORE APPECREST ON THE RIGHT: R. P. McDermott expressed concern with regard to trees he feels are creating a dangerous situation. E. N. Small will call the Department of Transportation as these trees are located on a State road.

DUMP ATTENDANT – HOURLY TO SALARY: R. P. McDermott proposed an increase in pay for Paul Michael. He recommended a figure of \$2,750, \$250 more than the 2010 budget figure. M. J. Farinola acknowledged that Paul Michael works extra hours that he doesn’t charge the Town and that the Board is trying to acknowledge his efforts. E. N. Small stated that this employee provides timesheets and that Federal law requires and the Town is obligated to pay employees for time worked. M. Kasprzak suggested the Board consider another way to award

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the employee such as a merit pay not changing the current hourly rate. R. P. McDermott stated he would prefer to have the difference be reflected in the employee's pay each pay period rather than a one-time pay.

M. J. Farinola stated that he was acceptable to this idea of a bonus and that the Board should review other positions on a similar basis. E. N. Small questioned how this action would affect the personnel policy. M. Kasprzak asked if the Board would be addressing this proposal for all employees.

MOTION: To approve a bonus of \$250 for Paul Michael.

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

PUBLIC COMMENT

C. Brown, Exeter Road, inquired as to the information available to and declined by the Board with regard to combining the offices of the Town Clerk and Tax Collector. She stated that the information might clarify what the costs associated with the change might be that would allow the Board to better provide the public with information before the Deliberative Session. M. J. Farinola stated that the Board's declining the information does not preclude the Town Clerk from providing information. E. N. Small stated that two members of the Board stated last meeting that they wanted to see the cost comparison but did not designate who would be preparing the analysis. R. P. McDermott stated he thought E. N. Small volunteered and that he has no issue with seeing a cost comparison adding that he is in favor of E. N. Small preparing information. M. Kasprzak stated that M. Hill has information to submit to the Board. M. Hill provided copies to the Board at this time. She noted that this information relates to salaries and benefits and is in addition to the information submitted at the December 28 meeting. M. J. Farinola stated he felt the information is based on assumptions made by the Town Clerk and Tax Collector. C. Brown noted that procedures need to be followed and that the public should be told what the procedures are and the costs involved. M. Kasprzak disagreed with the indication that the Town Clerk is opposed but rather is providing information so that the Board can make a good decision; without information, the Board cannot make an informed decision. T. Samway, Old Stage Road, asked if this matter is a Selectmen's sponsored warrant article. M. J. Farinola stated it is. E. N. Small added that, if passed, it becomes effective in 2012. He asked the Board if they wished to include a special article for the money needed to make improvements to the building and equipment and software needs. Discussion took place with keeping the offices as they are or moving them as well as software costs obtained from Business Management Systems, Inc. The amount of \$5,000 for the initial office reconfiguration and initial software and computer upgrade(s) was suggested. Additional costs for hours and training were mentioned.

MOTION: To include a warrant article for \$5,000.

MOTION: M. J. FARINOLA
SECOND: R. P. MCDERMOTT

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UNANIMOUS

T. Samway, Old Stage Road, asked if this position is still an elected position. He was told it is.

• **NEW BUSINESS**

BOY SCOUT EAGLE SCOUT PROJECT - VOTING BOOTHS: Discussion took place with regard to a proposal for an Eagle Scout project to repair and construct voting booths. Town Moderator A. Dittami referred the Board to his report dated 12/31/10 and explained that he met with persons involved in this proposed project and that he is looking to the Board of Selectmen to consider granting approval for this project. He explained that the Scout will need to present a plan to the Board of Selectmen before beginning any work to obtain approval to proceed. The Board indicated support of this preliminary information. A. Dittami stated he would let the Scout know and inform of the need to come back to the Board once all information is available.

INTENT TO CUT – MAP 6, LOT 64-14: This application was signed by the Board.

APPLICATION FOR A VETERAN’S TAX CREDIT:

MOTION: To approve the application for veteran’s tax credit for Mr. Newbegin, Kensington Road.

MOTION: M. J. FARINOLA
SECOND: R. P. MCDERMOTT
UNANIMOUS

APPLICATION FOR AN ELDERLY EXEMPTION ELDERLY:

MOTION: To approve the application for elderly exemption for a resident of Brimmer Lane.

MOTION: M. J. FARINOLA
SECOND: R. P. MCDERMOTT
UNANIMOUS

ABATEMENT APPEAL MAP 6, LOT 64-14: M. J. Farinola stated that the Board supports recommendations of the Assessor and in this regard finds the same.

MOTION: To approve the recommendation of the Assessor and grant the abatement appeal for 45 Linden Road.

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

NEXTERA ENERGY SEABROOK, LLC APPLICATION FOR RSA 72:12-A TAX EXEMPTION DETERMINATIONS DES DOCKET NO. 2011-01 TAX – TOWN CAN SUBMIT COMMENTS: The Board referred to a letter dated December 21, 2010, from the NH

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Department of Environmental Services requesting a determination of eligibility for exemption for air and water pollution control equipment. The Town of Hampton Falls has until February 11 to respond with comments. E. N. Small will check and report next meeting.

HF REPRESENTATIVE ON THE WHS BUDGET COMMITTEE – SUSAN SMYLIE IS RETIRING FROM THAT POSITION – NEED SOMEONE TO SIGN UP BETWEEN JAN. 19 AND JAN. 28: Don Janik, Exeter Road, stated he would be willing to sign up for this position.

SELECTMEN REPRESENTATIVE REPORTS

SELECTMAN FARINOLA – ZONING BOARD OF ADJUSTMENT, SCHOOL BOARD: M. J. Farinola reported that the ZBA granted relief to the Town's wetland buffer for property located at 16 Old Stage Road. He stated he did not attend the last school board meeting.

SELECTMAN MCDERMOTT – CONSERVATION COMMISSION, FIRE DEPT., ENERGY COMMITTEE: R. P. McDermott reported that the Conservation Commission did not meet. He stated that the Fire Department reported on results of Christmas tree fundraising, status of the new fire truck and the Chief's delivering of a baby. The Energy Committee conducted a review of the cogeneration system installed at the Public Safety Building.

SELECTWOMAN KASPRZAK– PLANNING BOARD, LIBRARY, HERITAGE COMMISSION: M. Kasprzak reported that the Planning Board approved amendments to the zoning ordinance and building code for the warrant as well as the proposed Planning and Zoning budget for 2011. Discussions also took place with regard to a site plan for 115 Lafayette Road, and 1 Lafayette Road as well as a lot line adjustment for property on Brown Road. She stated she was unable to attend the Heritage Commission due to a medical matter. D. French noted that the Commission is obtaining names of persons interested in assisting with the Town's 300th Anniversary celebration.

OTHER

Air Handling Unit – Public Safety Building – Police Chief's Office: R. Dirsa explained the problems associated with an improper air handler and the opportunity with the installation of the new cogeneration unit to correct the problem. He reported he spoke with the contractor and obtained a price to correct the problem. He outlined reasons for improvements that would result from the energy efficient unit being recommended.

MOTION: To approve the expenditure of \$4,500 for Freedom Renewable Energy to upgrade and move the air handler out of the closet in the Police Chief's office.

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

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Senator Nancy Stiles was present and stated she hopes to attend as many meetings as she can. She provided contact information and asked the Town Administrator and Selectmen to contact her if there is an issue or special event they would like to address.

Property Tax Payment Refund: The Board signed approval of a refund due to overpayment of taxes.

Highway Block Grant: E. N. Small referred the Board to funds anticipated from the State and noted that \$45,000 is to be set aside by warrant article. M. J. Farinola stated that the full amount should be requested in the warrant article and asked E. N. Small to change the \$45,000 to match the number identified by the State.

Assessor's Computer: E. N. Small explained that Two Way Communications has identified that the Assessor's computer is near failure. A proposal to replace this computer was reviewed by the Board. M. J. Farinola inquired as to certain portions of the proposal that were determined not needed (software upgrade). L. A. Ruest explained the reasons the proposal includes certain items due to hardware requirements of VISION software. The Board approved the proposal of \$1,139.

Public Hearing – Emergency Management Grants: E. N. Small stated that a public hearing needs to be scheduled to accept funds for emergency management grants received by the Fire Department.

Comparison of Town and School Appropriations: E. N. Small provided a chart outlining appropriations 2001 through 2010. This information will be provided on a large chart for viewing at the budget hearing. M. J. Farinola stated the chart shows reduced town spending for three years.

Road Salt: E. N. Small reported that he ordered road salt in anticipation of weekend storms.

PUBLIC COMMENT

B. Mutrie, Brown Road, inquired as to the status of painting the old library. E. N. Small explained that a request for proposals for painting resulted in no response. He noted that an article has been added to the warrant for additional capital reserve funds for this project and that it is hoped to obtain bids in the spring if the warrant passes.

M. Kenney, Meadow Lane, offered to conduct welfare services on behalf of the Town at no cost as compared to the contracted services provided by S. Benoit at the present time. She stated she has been the Chair of Womenaid of the Seacoast for quite some time. M. J. Farinola asked M. Kenney to speak with him about this.

Two Winnacunnet students were present as a requirement of their Senior Seminar project. They inquired as to the Board's opinion of the Poker Room opening at One Lafayette Road offering charitable gaming. R. P. McDermott stated he thought it was great for Hampton Falls and

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reviewed statistics of registered players and the manner in which the business operates with regard to receipts to charities. B. Mutrie expressed concern with overflow parking in regard to the approved site plan requirements. C. Brown noted that the property is under a temporary Certificate of Occupancy and that limitations are in place.

REVIEW AND APPROVAL OF PREVIOUS MINUTES -- DEC 1, 15, 28

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

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

MOTION: To approve the minutes of the December 15 meeting as written.

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

MOTION: To approve the minutes of the December 28 meeting as written.

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

**NEXT SELECTMEN'S MEETING – WEDNESDAY, JANUARY 19, 2011, 6:30 P.M.,
TOWN HALL**

MOTION: To adjourn the meeting at 8:20 p.m.

MOTION: R. P. MCDERMOTT
SECOND: M. J. FARINOLA
UNANIMOUS