## PRESENT: R. P. McDermott, Chairman; M. Kasprzak, Vice Chairwoman; C. P. Graham, Selectmen; E. N. Small, Town Administrator; L. A. Ruest, Administrative Assistant

## 6:00 PM

## RESPONSE TO THE SELECTMEN’S PERFORMANCE EVALUATION OF TOWN ADMINISTRATOR: E. N. Small requested this opportunity to speak to matters relating to his performance evaluation. He thanked the Board for the opportunity and stated that he was not pleased that he did not have the opportunity to participate as is afforded to other employees. By not being allowed to participate, he stated he was unable to provide the Selectmen with a perspective of daily work and the manner in which projects are addressed. He added that there is a need to discuss the roles of the Selectmen Chairman and Town Administrator as there is potential for conflict or duplication of effort when two are working with the same individual.

Selectmen members reviewed various situations which resulted in comments each included in the evaluation. R. P. McDermott noted that he provides an email, copied to all, when he obtains information on matters the Town Administrator is working on. C. P. Graham reviewed situations where he was concerned that Highway Department matters were not be addressed timely where he felt more leadership could have been exercised. E. N. Small stated that he and the Road Agent have been working in this regard as well as with the winter road maintenance contractor to ensure work was completed before releasing the money retained by the Town. He noted that Chairman McDermott was communicating with the contractor as well. R. P. McDermott stated that J. Ziolkowski stated that he requested his retainage check but got no response from the Town Administrator. E. N. Small stated that the check was processed and held waiting for work to be completed.

E. N. Small stated that he felt evaluations should be positive and not bring about surprises; he asked that if the Board receives complaints directly that information be forwarded to him. R. P. McDermott stated he does not have a list of complaints, but that he forwards information by email. R. P. McDermott stated that he acknowledges the Town Administrator is the facilitator and that sometimes he receives a second or third call. E. N. Small stated that if this was communicated to him, it would be helpful.

E. N. Small also asked that examples of concerns be provided as it would be helpful in understanding the concern and correcting the issue. He again requested that the Selectmen Chairman and he sit down and define roles for a better understanding. R. P. McDermott stated he felt the Town Administrator knows what the roles are. C. P. Graham stated he would be amenable to this suggestion and expressed concern of the Town Administrator’s response to the evaluation. He added that he feels E. N. Small has become consumed by this and that he hasn’t been paying attention to the warning.

E. N. Small explained that day-to-day duties and other events affect work on projects and that he puts efforts forth to bring a good result to the Board. M. Kasprzak spoke to the need for agendas and packets to be available by a deadline and that this deadline is rarely met; she noted it is important to her that she has all available information for review in advance of the meeting. E. N. Small asked if those agenda items that are not ready should be put off until the next meeting. M. Kasprzak stated he should let someone know.

A review of other items listed in the evaluation took place with the Town Administrator and Selectmen members identifying questions, answers and concerns. R. P. McDermott reviewed a listing of notes he has kept over time. E. N. Small spoke to management of the office, supervision of employees, interaction with committee and board members and accomplished tasks and projects, etc. C. P. Graham asked if E. N. Small would prefer to continue this discussion in non-public session, and, if so, he should ask the Chair.

Discussion continued with regard to adapting to new ideas, problems with the telephone system, positive attitudes, follow-up, communication between the Selectmen Chairman and Town Administrator, completed action items, cost savings and priorities. R. P. McDermott stated that he doesn’t feel there is any more work than in years past. E. N. Small stated that clerical work affects his getting management work done. Discussion took place with regard to seeking assistance from the Administrative Assistant. It was reported that the Administrative Assistant helps in many areas and that a part-time person would be helpful at times.

C. P. Graham expressed dissatisfaction with the manner in which the Town Administrator has performed during his tenure compared to other Town Administrators and stated he felt that if there was no hand-holding from the Board that the task(s) would not get done. E. N. Small stated that there have been many Boards during his employment and that his role changed within the last few years where he no longer has an active role in running Selectmen’s meetings. R. P. McDermott stated that he was under the impression that the Board runs the meeting and that the Town Administrator puts information together.

A work session was scheduled for September 8, 6:30 p.m. to discuss work load and ways to assist for improvement.

## ROAD AGENT - MONTHLY REPORT: The Board reviewed the Road Agent’s activities for the month of July.

**PLATINUM FENCE INC. – REPLACE 100 FT. OF CHAIN LINK FENCE:** Following review, the Board decided to wait until next year to consider having this work done.

**FALL WHITE GOODS DAY – DATE?:** The Board agreed with the date of Saturday, October 15, for the fall white goods collection. L. Ruest explained the idea of obtaining a shredding service to be available that day, however, stated that discussion needs to take place with the volunteer assisting with clearing records from storage as the timing may be affected. The Board suggested that something be included in the newsletter that it is hoped to be able to provide an opportunity to safely dispose of documents in conjunction with the Town Hall effort.

**HIGHWAY BUDGET BALANCE – MID-AUGUST:** It was reported that Highway Block Grant funds of $55,000 are deposited to the General Fund at the end of the year.

**WINTER ROAD MAINTENANCE AGREEMENT:** A copy of the winter road maintenance agreement was provided to the Board. One outstanding item of a Certificate of Insurance is needed before signing. C. P. Graham asked that the language provided as a result of review by counsel be included in the agreement. This matter will be placed on the September 7 agenda. C. P. Graham inquired as to the penalty/incentive section and indicated that it should include a final date and indication of reduced retainage if repairs are not completed. R. P. McDermott stated he felt the date should be April 30 or the contract end date.

**DOT SNOW POLICY 2010-2012:** Discussion took place with regard to the NH Department of Transportation’s proposed plan to do less plowing in order to address budget constraints. The Board suggested that residents contact their State Representative in this regard.

**PAVING ON CRYSTAL DRIVE:** D. Robinson reported that the paving work on a portion of Crystal Drive is almost complete.

## BUILDING INSPECTOR, CODE ENFORCEMENT, HEALTH - MONTHLY REPORT: Kevin Kelley was not present at this meeting; no report was given.

## FIRE CHIEF, EMERGENCY MANAGEMENT - MONTHLY REPORT: J. M. Lord reported a reduction in call activity and stated that if the Department of Transportation changes its snow policy, plowing less, increased activity is anticipated

J. M. Lord explained an opportunity to obtain extinguisher inspection services at a lesser cost and requested the Board’s signature for a three-year contract.

**MOTION:** To authorize the Fire Chief to sign a contract on behalf of the Town of Hampton Falls; an agreement for no more than three years for the provision of recharge of fire extinguishers in Town buildings.

**MOTION: C. P. GRAHAM**

**SECOND: M. KASPRZAK**

**UNANIMOUS**

## UNITIL’S APPLICATION BEFORE THE PLANNING BOARD AND BOARD OF ADJUSTMENT: This matter was not discussed at this meeting.

## POLICE CHIEF - MONTHLY REPORT: The Board acknowledged the Police Department report for the month of July. He reported that the new cruiser has been received, outfitted and is on the road.

## Bids for the purchase of the old cruiser have been received and opened. A low bid of $501 and a top bid of $1,823. The high bidder was notified today and the funds will be deposited to the Town’s general fund.

## TOWN IMPROVEMENT & ENERGY COMMITTEES – USE OF FUNDS FOR TOWN HALL: Larry Smith and Jack Fermery were present to provide information on the status of the Town Improvement Committee’s efforts with regard to Town Hall improvements to be addressed by the 2011 warrant article.

L. Smith reported that the Committee met with Peregrine Energy Consultants as referred to by the Energy Committee. A walk through of the Town Hall took place and a number of observations to improve energy efficiency were made. The Town Improvement Committee is currently drafting a list of projects and available funds for consideration and recommendation; some projects will reduce maintenance costs of the Town Hall with emphasis being placed on energy efficiency.

## EXTENDING THE WALKWAY FROM TOWN HALL TO THE OLD LIBRARY: L. Smith reported that this idea has been abandoned due to authorization being needed from the State of NH. He noted that the new lawn and shoulder at the front of the Town Hall will act as a walkway area. R. P. McDermott offered the suggestion of a painted sidewalk and C. P. Graham inquired as to the plans for the portico. L. Smith stated that repairs are part of the restoration of the east side of the building; PVC board is planned. Discussion of putting the flag pole back in place was held. D. Robinson stated that it is not planned to attach it to the building but that consideration can be given to placing it in a grassy area. J. Fermery added that there is a location planned for a sign as well. The tree at the front of the Town Hall is to be removed as it has been determined that it cannot be saved. Thoughts have been given to planting another tree.

C. P. Graham asked if this plan was agreed to in conjunction with the Energy Committee. J. Fermery stated that the Town Improvement Committee has been following their projections. It is planned to move forward with this plan in order to get work done in the fall. It is felt that most work can get done with the warrant article money and that the Town Improvement Committee will act as general contractor. B. Mutrie, Brown Road, offered to provide information from the NH Preservation Alliance with regard to restoring old windows for use in obtaining quotes. The Board extended thanks to the Committee for their efforts.

* OLD BUSINESS

**FINANCIAL REPORTS - GENERAL FUND BALANCE: $1,617,000**

**SELECTMEN’S ACTION ITEMS FROM PREVIOUS MEETING:** Following a review of the updated listing of action items,

It was requested to leave the item of an insurance payment due the Road Agent as a result of a barn fire on Drinkwater Road on the action items listing.

C. P. Graham asked that the Board spend some time to draft language as to a policy for contacting counsel and then vote on it. This is planned to be done at the September 8 workshop.

M. Kasprzak inquired at to the status of the horse show and Eagle Scout project relating to voting booths. E. N. Small reported that the proper certification has been received from the Attorney General’s office for the horse show and that J. P. Pontbriand is present to speak about the Eagle Scout project later this meeting.

With regard to utility assessment, E. N. Small is awaiting a call from Glenn Walker for information to include in the MS1 report.

**SELECTMEN’S POLICIES:** The Board acknowledged receipt of the packet of Selectmen’s policies and informed E. N. Small that two years are missing.

**ELECTION RULES:** In response to E. N. Small’s inquiry, the Board agreed to continue with the election rules provided by the Moderator in July.

**DATE FOR RIBBON CUTTING FOR THE FARMER’S MARKET:** R. P. McDermott asked that J. Ashak work with E. N. Small as to a good date for a ribbon cutting ceremony for the Farmers’ Market on the Town Common.

**BUDGET WORKSHEETS –SET UP MEETINGS WITH DEPARTMENT HEADS:** E. N. Small is working on budget worksheets and noted that meetings need to be scheduled to meet with Department Heads. R. P. McDermott asked Board members to check their schedules for the week of September 19 and let E. N. Small know of good dates and times on or before September 7. E. N. Small reported that renewed figures are not available for employee benefits and certain other budget lines until October. He noted that the Department of Revenue Administration has suggested using the same amounts as last year for grant/revenue information and that property/liability insurance premiums have increased by 7 percent.

**CIRCUIT RIDER ASSISTANCE PLANNER GRANT:** Planning Board Chair C. Brown recommended signature of this contract noting that the Planning Board has confidence in its Planner and that the assistance is well needed. She added that the Town gets more than what the fee covers. C. P. Graham stated that although this is a great expense, he could not imagine the Planning Board without this assistance. C. Brown noted that the Town of Hampton Falls does not have an attorney sitting with the Board as other Towns do. C. Brown pointed out that she has included an additional $6,000 for the 2012 budget as grants are no longer available as has been in the past.

**MOTION:** To authorize the Chairman to sign reappointment of the Circuit Rider Planner.

**MOTION: M. KASPRZAK**

**SECOND: C. P. GRAHAM**

**UNANIMOUS**

C. Brown also inquired as to an appointment for a Technical Advisory Committee representative appointment for Hampton Falls and clarifying an appointment that was not handled properly.

**MOTION:** To appoint R. P. McDermott to fill the position of Technical Advisory Committee as representative of Hampton Falls for the term 7/1/10 to 6/30/13.

**MOTION: C. P. GRAHAM**

**SECOND: M. KASPRZAK**

**UNANIMOUS**

**CY PRES. PETITION – OLD HAMPTON FALLS LIBRARY:** C. P. Graham suggested, and the Board agreed, to have E. N. Small obtain a quote from Jones and Beach Engineers to survey the bounds of the Historical Society building (old library) at 45 Exeter Road. E. N. Small reported that this matter may need to be addressed at Town Meeting and that research needs to be done.

**OTHER:**

**Eagle Scout Project – Voting Booths:** J. P. Pontbriand provided an update of the status of J. Brouillard’s Eagle Scout Project (a handout was provided to the Board). He reported that some reconfiguration has been done after meeting with Bob Ruest and that plans have been amended to build independent booths. Costs, materials, etc. were reviewed as well as a timeline. J. P. Pontbriand reported that this proposed project has yet to receive approvals from various Boards. The Board extended thanks for the update.

**PUBLIC COMMENT:** No public comment was heard at this time.

* **NEW BUSINESS**

**INTENT TO CUT:** An Intent to Cut application was signed by the Board.

**LIBRARY NEWSLETTER:** The Board approved the draft newsletter for the September/October edition setting a fall white goods collection date of Saturday, October 15.

**TAX COLLECTOR’S DEEDING /THREE PARCELS – BOS’ OPTION:** Tax Collector M. Hill referred Board members to packets of information she prepared for their review. She explained that she is expecting payment from one property owner for two properties and asked the Board to hold action.

M. Hill explained that the third property has been in arrears for a long time, the assessment has been reduced due to vandalism and that the property owners have not shown for scheduled appointments with the Assessor. The deed has been prepared. M. Hill reviewed options in this matter and noted that there is merit to denying the demolition permit recently requested. C. P. Graham questioned whether the Town has the authority to withhold the demolition permit. E. N. Small stated the ordinances would need to be checked and research done. Following additional discussion, the Board asked C. P. Graham to contact the bank to obtain more information.

**MOTION:** To authorize C. P. Graham to contact the bank in this regard on behalf of the Board and defer decision until the September 7, 2011 meeting.

**MOTION: M. KASPRZAK**

**SECOND: C. P. GRAHAM**

**UNANIMOUS**

**ABATEMENT REFUND/CURRENT USE** documents were signed by the Board as prepared by the Tax Collector.

**OTHER – Dump Sticker Fee:** L. Ruest informed the Board of a conflict in the fee to charge for three-year dump stickers. All town records indicate the fee is $10, however, the Town Clerk’s office has informed that the fee has been reduced to $5. It was suggested that the next time dump stickers are printed that they include a number of years that can be punched to indicate its term/validity.

R. P. McDermott stated that a decision was made at the spring white goods collection day to reduce the fee. On this day, the Board met to consider the issue of pricing dump stickers that were valid for only the next six months. It was determined to charge no more than $5 for a current dump sticker that expires December 2011.

**PUBLIC COMMENT:** No public comment was heard at this time.

**REVIEW AND APPROVAL OF PREVIOUS MINUTES**

**MOTION:** To approve the minutes of the July 20 meeting as written.

**MOTION: C. P. GRAHAM**

**SECOND: R. P. MCDERMOTT**

**UNANIMOUS**

**MOTION:** To accept the minutes as delivered to the Town Administrator for the July 20 and July 23 nonpublic sessions and seal them as written.

**MOTION: C. P. GRAHAM**

**SECOND: R. P. MCDERMOTT**

**UNANIMOUS**

**NEXT SELECTMEN’S MEETING – WEDNESDAY, SEPTEMBER 7, 2011,**

**6:30 P.M., TOWN HALL**

**MOTION:** To adjourn the meeting at 9:02 p.m.

**MOTION: M. KASPRZAK**

**SECOND: C. P. GRAHAM**

**UNANIMOUS**