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

LIBRARY TRUSTEES MEETING WITH SELECTMEN TO REVIEW ITS BUDGET: J.

Haskell and B. Forgione were present. B. Forgione explained that the Library Trustees took another look at its budget at the request of the Board of Selectmen to reduce by \$1,800.

B. Forgione explained that additional funds relating to employee benefits were identified and included in the budget. The Trustees also reduced a number of lines of the budget by various amounts. The budget of \$161,300 presented is the final budget. The Board expressed thanks for the effort.

EAGLE SCOUT PROJECT – VOTING BOOTHS - JOEY BROUILLARD: J. Brouillard

presented an overview of his project referring those in attendance to one booth set up in the meeting room. He reported that he has finished all six booths. With leftover money, he has provided for lighting and batteries. He reviewed the manner in which the booths are constructed, sealed and numbered. He provided the Board with a binder of information relating to assembly and layout for placement for elections. He requested the Board sign a document relating to completion of this project. The form was signed by the Chairman. J. Brouillard stated he would bring the other booths to the Town Hall and work with Fire Chief J. M. Lord to store them. J. Brouillard requested a letter from the Board indicating he has fulfilled the requirements of this project and that he has accomplished what was asked of him by the Town for this project. The Board thanked J. Brouillard for his efforts in this regard and congratulated him on a job well done.

PRIMEX – PROPERTY LIABILITY INSURANCE: Carl Weber of PRIMEX was present to explain to the Board options with regard to the Town's insurance policy. He explained a new program, Contribution Assurance Program (CAP), available to the Town that guarantees the annual premium contribution during a defined period of years will not exceed seven percent. E. N. Small prepared a spreadsheet of information outlining the current term with and without the CAP applied as well as another three year term policy with CAP.

C. Weber also explained that a number of matters affect annual premiums to include property value increases, payroll increases and claims experience. He noted that the Town of Hampton Falls claims history in 2010 is part of the reason for the premium increase. An option of changing from a fiscal year policy to a calendar year policy was discussed. This would allow for rate information to be available at the time of budget preparation. There is also the opportunity to pay quarterly to assist with cash flow.

R. P. McDermott asked that communication improve in order to prevent what happened earlier this year. C. Weber acknowledged that the Town of Hampton Falls was not the only Town which was affected. C. P. Graham asked if there is a difference in the way costs are adjusted with or without the CAP. C. Weber reviewed ways in which the Town can minimize its risks and PRIMEX programs available to assist. He restated that with CAP, there is a ceiling on the premium of no greater than seven percent.

C. Weber provided information on PRIMEX as a non-profit trust company and that the Town has opportunities to participate in other programs to address risk management. In response to questions, C. Weber stated that this program is not a rate cap but an overall cap. He stated that the Town could stay with its current policy term through 2013 with a rate increase of 18 percent.

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The Board agreed to take this matter under advisement and thanked both C. Weber and E. N. Small for information.

• **OLD BUSINESS**

FINANCIAL REPORTS-GENERAL FUND BALANCE \$3,077,455

ACTION ITEMS FROM THE LAST MEETING: An updated action items listing was reviewed by the Board.

ALTERNATE TO THE BOARD OF ADJUSTMENT: E. N. Small reported that R. P. McDermott asked that this matter to be added to the agenda. Following discussion, it was determined that a resident is interested in serving, however, no application and brief statement has yet been received.

2012 PROPOSED TOWN WARRANT: E. N. Small provided the Board with a summary of the items to be placed on the warrant. He asked the Board if it would like to include a warrant article increasing certain fees. R. P. McDermott stated he felt some fees should be increased. Discussion took place as to the manner in which this warrant article would be written. The Board agreed to review the listing of fees for possible inclusion in a warrant article seeking to increase the fee amounts. (See New Business, Other)

2012 PROPOSED OPERATING BUDGET: E. N. Small reported that the budget has been updated with the exception of the insurance premium information discussed earlier this meeting.

CASH FLOW: An updated cash flow spreadsheet was provided to the Board.

LETTER TO KATE MILLER RE COMCAST NEGOTIATIONS - REVIEW OF LETTER: The Board approved the draft letter prepared by E. N. Small to Kate Miller with regard to extending Comcast services to the Old Library. E. N. Small will prepare the letter for mailing.

TOWN COUNSEL POLICY: The Board approved the Policy Regarding Legal Opinions wording as drafted by C. P. Graham.

MOTION: To adopt the Policy Regarding Legal Opinions as a policy of the Board of Selectmen.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

911 MAPPING PROJECT: L. A. Ruest referred the Board to a packet of information provided to them prior to this meeting. The Bureau of Emergency Communications (E911) is looking for the Town to sign three forms (Data Capture Acceptance Letter, Data Release Agreement and Acknowledgment of Nonstandard Addressing). These forms relate to the data collected and maps processed for the Town of Hampton Falls.

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Referring to the report that resulted from the data collected, L. A. Ruest explained to the Board that she met with the Fire Chief and Police Chief and identified recommendations, comments or concerns for each property identified in this report. Comments made as a result of this meeting are highlighted and recommendations or notations are shown in capitalized letters. E911 is looking for the Town to meet standards; however, it does not dictate the changes and looks to the Town for assistance to address concerns. J. M. Lord explained that the review of the maps resulted in a plan that works for Hampton Falls public safety.

J. M. Lord asked for the Board's support with regard to these recommendations. He offered another option of renumbering the entire Town within standards set by E911. Concern was raised with the amount of efforts, record changing and costs to do so. The Chiefs and L. A. Ruest will follow up on recommendations.

The Board signed the three documents for submission to the Bureau of Emergency Communications.

BROWN ROAD DRIVEWAY CULVERTS: Following discussion, it was determined that the work done in this area is not what was expected and that the matter needs to be addressed again.

VALLEY TREE COSTS FOR OCTOBER STORM CLEANUP – FINAL TRIP TO REMOVE MORE HANGERS: The cost for this service as well as other services resulting from the October snowstorm are being compiled by Fire Chief J. M. Lord in applying for assistance to FEMA. The FEMA kick-off meeting is scheduled for December 15. J. M. Lord will complete the necessary forms for Hampton Falls at that time.

NIEBLING LAND CONSERVATION EASEMENT: J. P. Pontbriand was present at the Board's request to answer questions. C. P. Graham stated he is looking to understand how this parcel will be cared for by South East Land Trust (SELT). J. P. Pontbriand reported that SELT, as holder of the easement, is responsible for oversight of the property and that the easement constrains the Town as to what can be done and does not obligate the Town to take action regarding the property.

C. P. Graham asked if the Town participates in the plan or determination as to what does get done. J. P. Pontbriand stated no and noted that the easement is basically addressed by boilerplate documentation as this is a small parcel. He noted that there were not many alternatives for someone to take this easement as it didn't fit other programs.

C. P. Graham asked if there is anything that the Town can do to maintain the property, without an easement and without the cost of an easement, to fulfill the donated intent for conservation purposes, and, if so, does the Conservation Commission have a recommendation. J. P. Pontbriand stated that the Town owns the property unencumbered by any agreement and that the Town could sell the property if decided. He added that the recommendation of the Conservation Commission is to establish a conservation easement on this property which meets the owner's intention to donate the property if it remains in conservation.

C. P. Graham expressed concern with the property going to SELT. He asked whether the previous owner's son continues to participate in the management plan and whether the Town will have the ability to limit the amount of trees to be forested. J. P. Pontbriand stated that the Conservation Commission has never felt there was a problem with the way this land was being conserved in the past. He added that the

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Conservation Commission feels there should be a conservation easement on this property and that its function is to guide the Town on how to best conserve this type of resource. Once the easement is in place, the parcel is in the hands of the SELT. The Conservation Commission, however, is in a position to comment on the easement agreement but would not be in a role of land management issues.

J. P. Pontbriand stated that this parcel of land has been managed for decades and that he doesn't think any change in practice is in place nor is there an intention to clear cut the parcel. R. P. McDermott asked J. P. Pontbriand to bring the Board's comments to the Conservation Commission. E. N. Small added that the Board will be asked to sign the SELT document once prepared.

Abutter Amy Karsonovich, 10 Cider Hill Road, stated she had no problem in the manner in which the property was taken care of by the Nieblings and that she would like to see the parcel remain in conservation.

T. Samway, Old Stage Road, asked what could be done to stop someone who violates best management practices. J. P. Pontbriand stated that this is a legal question and that it may be a court matter. J. M. Lord noted that there may be a circumstance such as devastation from an insect that would require more cutting than maintenance cutting. It was noted that the Town would receive funds from timber cutting. The Board thanked J. P. Pontbriand for this information.

OTHER

Fire Department Remaining 2011 Budget: R. P. McDermott asked J. M. Lord if there are available funds from the 2011 Fire Department budget that could be used to assist with the wiring project presented by the Police Chief. Following review of the Fire, Ambulance and Emergency Management budgets and offsetting revenue, J. M. Lord reported that there is approximately \$84 available. B. Mutrie, Brown Road, inquired as to the funds from the sale of the fire truck. She was told that these funds are deposited to the Town's general fund.

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

- **NEW BUSINESS**

NEW TIME SHEETS FOR NON-EXEMPT EMPLOYEES: Following review and discussion of a revised timesheet for use by non-exempt employees, the Board approved its use to begin as soon as possible or January 1, 2012. This new form eliminates the need for a separate approval form and includes a section to describe requests for accrued time (such as vacation, comp, sick, other) that requires Department Head approval in advance.

INTENT TO CUT APPLICATION: Board members signed an Intent to Cut application.

BACKUP COPIER FOR THE TOWN OFFICE – TAX COLLECTOR'S OFFICE: E. N. Small reported that toner for the current copier costs \$150+ and stated that the copier is not working well. M. Hill explained information relating to three copiers she identified as possible copiers to replace the copier that is no longer working. Three prices were obtained, ranging in cost of \$159 to \$250, and each have the ability to copy, duplex, copy, print, fax and scan. Each provide for a warranty; not service agreement. Question was raised as to the need for this copier given that the SAVIN has these

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capabilities for use of all employees. M. Hill explained that merits of having a back-up copier when the SAVIN is down for repair or a number of employees are looking to use the features of print, copy, fax or scan.

MOTION: To authorize the Town Administrator to purchase a new copier for the Tax Collector's office; one of the three presented on the Staples list.

MOTION: M. KASPRZAK
SECOND: C. P. GRAHAM
UNANIMOUS

FUND BALANCE POLICY: E. N. Small reported recommendation has been made to have a Fund Balance Policy. He referred the Board to a document from Plodzick and Sanderson, the Town's auditing firm.

TRASH ON STARD ROAD: E. N. Small reported that arrangements have been made to clean up the dumped items from a portion of Stard Road. He explained that volunteers from Seacoast Youth Services are cleaning up this area and that Northside Carting is to pick up the larger items. Some items will be brought to the Brush Dump.

OTHER:

Survey Old Library, 45 Exeter Road:

MOTION: To authorize the expenditure of up to \$3,000 for the purposes of obtaining a recordable survey plan of the Old Library lot.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

Old Library: E. N. Small reported that rot has been identified as part of the siding replacement at the Old Library and is being repaired. A photo of the problem was reviewed by the Board.

Interest Rates: E. N. Small reported that the Treasurer conducted a survey of current interest rates and found that the current (Ocean Bank) bank's rate is the best available at .75%. The Board asked that the rates from Optima Bank be checked. R. P. McDermott asked what gives the Treasurer the right to obtain interest rates on behalf of the Town. E. N. Small stated that she is responsible to do so, and if the Town decides to change banks, approval of the Selectmen is required.

Faro Gardens, Map 7, Lot 50: An email from Tax Collector M. Hill was reviewed by the Board. C. P. Graham asked if the property owner is required to pay taxes before a tax abatement is approved. M. Hill stated it is not required. C. P. Graham asked if a demolition permit has been issued. E. N. Small stated that the Building Inspector has been provided with direction to issue the permit with conditions but that he does not know if the permit has been issued. C. P. Graham suggested that the Town collect what is can and allow the demolition and removal of the septic system, and then ask M. Hill to issue a Tax Collector's deed. The Board approved M. Hill preparing and issuing a letter per the email of December 6.

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SELECTMEN REPRESENTATIVE REPORTS – BRIEF HIGHLIGHTS ONLY

SELECTMEN MCDERMOTT - FIRE DEPT., LIBRARY: R. P. McDermott reported that the Fire Department addressed Christmas tree sales and other fundraising, equipment and a survey of questions on how to improve the Fire Department. He also reported that the Library Trustees considered ways to reduce its budget.

SELECTWOMAN KASPRZAK - PLANNING BOARD, HERITAGE COMMISSION: M. Kasprzak reported that the Planning Board held a public hearing on proposed warrant articles which were approved for inclusion on the 2012 warrant. A Capital Improvement Plan was presented and recommended to the Selectmen. At the Heritage Commission meeting, discussion took place with regard to drafting the Commission's section of the Town Report, Tercentenary celebration, demolition applications, the Blue Chip Farm and Carney land.

SELECTMEN GRAHAM - SCHOOL BOARD, ENERGY COMMITTEE: C. P. Graham reported that the Energy Committee heard a presentation on magnetic induction lighting and was awarded a grant for an energy audit of the school. He was unable to attend the last School Board meeting.

OTHER

FEES: E. N. Small explained that certain fees do not fall under the jurisdiction of the Board of Selectmen. R. P. McDermott asked that the matter of increasing fees be brought to the attention of the Planning Board and Zoning Board of Adjustment. C. P. Graham asked E. N. Small to reviewing the listing of fees and identify those which the Board has jurisdiction for review at another meeting.

TREE REMOVAL: E. N. Small provided the Board with a copy of a notice from South East Land Trust of improper tree cutting. This matter will be forwarded to the Conservation Commission to address.

PUBLIC COMMENT

B. Mutrie, Brown Road, added that the Ordinance and Regulations Review Committee looked at fees in the past with regard to Planning Board fees and asked the Board to ask the voters to change fees by warrant article.

REVIEW AND APPROVAL OF PREVIOUS MINUTES

MOTION: To approve the minutes of the October 26 and November 16 minutes as written.

MOTION: C. P. GRAHAM
SECOND: M. KASPRZAK
UNANIMOUS

MOTION: To approve the minutes of the December 1 meeting as amended (replacing the word "diary" with the word "mark.")

MOTION: M. KASPRZAK

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**SECOND: R. P. MCDERMOTT
UNANIMOUS**

**NEXT SELECTMEN'S MEETING – WEDNESDAY, DECEMBER 21, 2011, 6:30 P.M., TOWN
HALL**

MOTION: To adjourn the meeting at 9:27 p.m.

**MOTION: M. KASPRZAK
SECOND: C. P. GRAHAM
UNANIMOUS**