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

**IMPACT FEES – REQUEST FOR RELEASE OF FUNDS- LINCOLN AKERMAN SCHOOL:**

This discussion is continued from a previous meeting of the Board of Selectmen. SAU #21 Business Administrator B. Hickey referred the Board to a letter dated March 12, 2012, requesting release of \$10,637.44 of impact fees and provided explanation for the request. He stated that this allotment will assist in covering the costs for wetland flagging and survey work done to obtain a sense of the available land behind the school building and behind the Merrill house and barn that is available for expansion of facilities. He acknowledged that the previous request was for the same work and stated that the costs ran over the anticipated scope of work. R. P. McDermott asked that future requests include more detailed information with regard to a description of needs in relation to the purpose supporting release of impact fees. It was also noted that school representatives may be requested to appear before the Board for questions of the Board and public. In some instances, however, the Selectmen Rep to the School Board may be able to answer questions.

**MOTION:** To release impact fee funds in the amount of \$10,637.44 as requested by letter of March 12, 2012.

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

R. P. McDermott opened discussion to members of the public. T. Samway, Old Stage Road, requested an overview explanation of what the impact fees are and when they are released. C. P. Graham provided a basic explanation of the ordinance allowing for the collection of impact fees, the manner in which the fees are determined, the relation of expansion due to increased enrollment, etc. School Board Member R. Ratigan added that the fees can be applied to school bonds such as the Winnacunnet High School bond. D. Janik, Exeter Road, stated his concern with the manner in which impact fees are being applied in relation to the specifics of impact fees. He stated that program changes at Lincoln Akerman School may be driving the proposed expansion needs and not necessarily the increase of more students resulting from development in Town. D. Janik added that there is a School Facilities Committee that will be reviewing this in conjunction with other matters. W. Kenney, Oak Drive, questioned how much the population of the school has grown relative to development and agreed with D. Janik's indication that the expansion of programs is driving the need for expansion not an increase in students resulting from development.

**ALBERT CHANASYK – ISSUES WITH THE SERVICES OF COMCAST:** A. Chanasyk of Evergreen Drive explained a long-time issue he has had with Comcast internet services. He provided a history and his attempts to work with Comcast to resolve without success and stated he feels this is an issue for the community. He added that he is making claim that Comcast is committing fraud and is bringing this notice to the Town.

A. Chanasyk works from home using internet services. He stated he feels the problem relates to Comcast software and provided some technical information relating to what he feels is the problem. He

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added that he has had Comcast service representatives respond a number of times; however, the problem he is experiencing continues.

Discussion took place with regard to the responsibilities of the Town of Hampton Falls and the contract with the Town compared to the contract with the individual, equipment available, franchise fees, possible arbitration or conflict resolution and service commitments made by Comcast through its web site.

R. P. McDermott suggested that Mr. Chanasyk try to resolve his issue with Comcast as the Town of Hampton Falls cannot get involved in each citizen's problem. He also stated that this is the first and only complaint brought to the Board and that public hearings have been held in regard to Comcast contract renewal. E. N. Small stated that he has referred A. Chanasyk to Jay Somers of Comcast who handles such municipal matters and that all have been communicating since 2010. C. P. Graham added that the information on the Comcast bill to contact the Attorney General's Office may be helpful to Mr. Chanasyk.

• **OLD BUSINESS**

**FINANCIAL REPORTS - GENERAL FUND BALANCE \$566,200**

**SELECTMEN'S ACTION ITEMS FROM PREVIOUS MEETING:** An updated listing of action items was provided to the Board. No comments or questions were heard.

**VOTING BOOTH SETUP:** E. N. Small informed the Board that he has spoken with Town Hall Custodian R. Regan and Dump Attendant P. Michael and that both have indicated they are willing to set up voting booths in advance of elections. The next election is in September.

**APPOINTMENTS TO COMMITTEES, COMMISSION, BOARDS:** E. N. Small reviewed a listing of positions up for renewal (4/30/12) noting those persons who are willing to continue and those positions where there is a vacancy.

**MOTION:** To renew appointments for those existing appointees who have indicated willingness for a future term as listed.

**MOTION: C. P. GRAHAM**

**SECOND: M. KASPRZAK**

**UNANIMOUS**

**2 APPLICATIONS FOR ZONING BOARD OF ADJUSTMENT:** C. P. Graham asked that these two applications be taken under advisement until such time as the ZBA meets to reorganize. He stated that it has been the practice with regard to judicial boards such as the Planning Board and ZBA where new volunteers come in as alternate members allowing for current alternate members to move to regular member. This allows for new applicants to gain experience before becoming a regular member. R. P. McDermott and M. Kasprzak agreed.

**1 APPLICATION FOR THE CONSERVATION COMMISSION:**

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**MOTION:** To appoint Adam Weeks as member of the Conservation Commission.

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

**REDUCTION OF SECURITY FOR THE CRANE WETLAND CROSSING:** E. N. Small explained that a request has been received from the property owner for a draw-down of security with regard to a wetland crossing on Drinkwater Road (Map 1, Lot 66-1). Jones and Beach Engineers has conducted an inspection and determined an amount of \$14,800 to be released for work done (letter of 4/3/12). The property owner has also agreed to pay for this additional inspection from the security funds posted with the Town.

**MOTION:** To authorize the reduction in security as recommended by Jones and Beach Engineers.

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

**REMINDER: REVIEW OF POLICIES - APRIL 19, 9:30 AM**

**WADLEIGH LANE MAINTENANCE PHASE:** The Board signed a letter acknowledging that this road has been moved to the maintenance phase and that the Town is returning the letter of credit in conjunction with the posting of \$28,600 in security effective March 30, 2012.

**RELEASE OF DRINKWATER ROAD INDEMNIFICATION AGREEMENT:** E. N. Small reported that Jones and Beach Engineers has recommended release of this indemnification as there were no damages to Drinkwater Road as a result of the Wadleigh Lane development.

**ABATEMENT-REFUND - 9 LA FIESTA DRIVE was signed by the Board.**

**UPDATED FEES & CHARGES FROM TOWN MEETING VOTE:** An updated listing of fees and charges was provided to the Board. The fee changes highlighted on this listing were approved at Town Meeting on March 13, 2012.

**TUTORIALS FOR WORD AND EXCEL – ADMIN. ASSISTANT:** E. N. Small informed the Board of on-line tutorials made available to Town Hall staff. R. P. McDermott explained that the reason he brought this matter to the attention of the Board was to determine how good the staff is or is not in regard to software knowledge. He suggested utilizing an assessment group who would come and meet with staff to determine and identify where help is needed. He added that he does not feel it is the responsibility of one employee to train other employees. E. N. Small stated that employees work well in the office and help where they can.

R. P. McDermott asked Board members if he could proceed with obtaining an assessment. C. P. Graham asked that he find out how much this service costs and bring the matter back to the Board for discussion. M. Kasprzak stated that in the meantime employees have access to tutorials on line.

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**MUSEUM PROPOSED PROPERTY LINES AND AGREEMENT:** E. N. Small reported that this matter is proceeding as presented by Anne (Tocky) Bialobrzkeski of Stockton Services and that John Colliander has offered to prepare a Boundary Line Agreement for signature.

**MOSQUITO CONTROL SPECIAL PERMIT APPLICATION:** E. N. Small reported that the special permit obtained for 2012 is available for review.

**REMINDER: NUKE DRILL AT PSB TRAINING ROOM - APRIL 17, 8 AM**

**SPREADSHEET OF MONIES AND PROJECTS & RSMS – UNH T2 PROJECT- TO START THIS SPRING:** E. N. Small referred the Board to two spreadsheets he prepared to identify available funds for Highway projects as well as a breakdown of expenses incurred to date by category. He noted that in preparing this information, a number of expenses have been identified that could be applied to Solid Waste and that he will take these into consideration at budget time. C. P. Graham stated he is not in favor of spending unspent winter road maintenance funds on road projects and that these funds should be returned to the taxpayers.

R. P. McDermott suggested preparing a separate spreadsheet for road only projects in order to forecast proposed work. E. N. Small noted that RSMS representatives will be updating and providing information to the Board and suggested that this information be used when prioritizing projects for 2012. It was agreed that R. P. McDermott, E. N. Small and D. Robinson would meet to prepare a plan with projects and costs for consideration of the Board of Selectmen at its May 16 meeting.

D. Robinson stated that efforts should be made to identify what is to be done with regard to roadside mowing, brush cutting, tree removal, etc. E. N. Small also suggested that funds could be used to replenish the road salt supply.

R. P. McDermott reported that he contacted Local Government Center counsel with regard to the Road Agent doing work at the Brush Dump with regard to mixing materials to create loam. He stated he asked if the Town could hire the Road Agent as a Town employee to work on Town property to clean the back area of the Brush Dump.

C. P. Graham stated that he did not see the information provided to LCG nor the answer from LGC in accordance with the policy adopted by the Board. E. N. Small stated that the policy dictates that any counsel to be contacted, including LGC counsel, must have the question referred in writing as approved by the Board of Selectmen. This was not done in this regard. R. P. McDermott acknowledged the need to do so.

D. Robinson's proposal of doing the work in exchange for the loam material was reviewed by the Board. Concern was raised with regard to making arrangements with one person, whether an employee or not, without giving others the same opportunity. M. Kasprzak stated that this should be made public and C. P. Graham asked that information be provided to determine if the project is worth doing. E. N. Small stated determination has yet to be made as to the cost for the Road Agent to do the work to make the material usable. It was noted that it needs to be determined if the cost of the work exceeds the revenue to be recouped from sale of material.

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R. P. McDermott opened discussion to the public. T. Samway, Old Stage Road, suggested that the Board hold a public hearing in this regard. E. N. Small will set up a public hearing for May 2.

**UNITIL'S REMOVAL OF DEAD TREES ON RTE. 88:** E. N. Small reported that Unitil is responsible for taking care of dead trees that affect its wires and that the State of NH is responsible for other dead trees in this area.

Road Agent D. Robinson stated that there are number of dead or dying trees that need attention along Town roads. He suggested that a survey of the Town be done to identify problem trees and that this listing be brought to the Board of discussion.

### **PUBLIC COMMENT**

B. Mutrie, Brown Road, inquired as to the policies to be reviewed by the Board of Selectmen. R. P. McDermott stated that there is a lengthy listing of policies, procedures and history items that will be reviewed by the Board.

B. Mutrie, Brown Road, inquired as to the status of purchasing the Carney land as the Ordinance and Regulations Review Committee is discussing this parcel. C. P. Graham reported that there is no new information.

T. Samway, Old Stage Road, suggested that the Board provide a public thank you to those who helped with roadside cleanup. He also inquired as to whether the Town receives information on those charities that benefit from the Poker Room function hall facility. R. P. McDermott provided information he has knowledge of and indicated that the Poker Room does not report to the Town.

- **NEW BUSINESS**

**ROAD RACES –JUNE 3 & SEPT 2 – LOCO SPORTS, INC. ACRES:** Chairman McDermott signed approval of Selectmen's Permits for these two road races. He asked that attention be given to the dates of requests to hold events such as this in order to prevent a multiple event day where public safety services will be affected.

**COMMUNICATION OF PROJECTS TO THE BOARD – GUIDELINES:** E. N. Small requested direction from the Board as to guidelines for information he is/is not to provide to the Board. He explained that R. P. McDermott has questioned why certain emails have been sent and added that when matters involve spending money or certain other actions he has been providing information to keep the Board up-to-date. Following discussion, it was determined that additional guidelines are not to be set and that Board members can utilize the delete button. M. Kasprzak stated she appreciates the effort to keep Board members informed.

**PERMIT FOR FARMERS' MARKET AT TOWN COMMON:** Chairman McDermott signed approval of a Selectmen's Permit to hold a farmers' market on the Town Common on Mondays.

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**INTENT TO CUT – MAP 6, LOT 17 & INTENT TO CUT – MAP 6, LOT 11:** Two intent to cut applications were signed by the Board.

**RESIDENTS IN THE COMMERCIAL ZONE – 4 RESIDENTS:** The Board signed four applications and a summary document for recording at the Registry of Deeds. This is an annual requirement for property owners who reside in the Commercial zone.

**VETERAN’S CREDITS:** Two applications for Veterans Credit have been submitted. The Tax Collector has reviewed the information for consideration and recommends one to be approved and the other to be denied based on not meeting criteria. The Board signed the applications accordingly.

**CREIGHTON MAPLE TREE:** E. N. Small provided the Board with information on fertilizing this tree. The Board approved the proposal from Bartlett Tree for \$320.

**SELECTMEN’S REPRESENTATIVE TO BOARDS AND COMMITTEES:**

**MOTION:** That the membership of the Board of Selectmen retain its existing committee assignments for the ensuing year.

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

An exception to this action is that R. P. McDermott will no longer be attending meetings of the Fire Department Association. Fire Chief J. M. Lord will inform R. P. McDermott when a meeting of the Hampton Falls Volunteer Fire Department is held so that he can attend.

**MONTHLY REPORTS - SELECTMEN REPRESENTATIVE REPORTS**

**SELECTMEN MCDERMOTT – LIBRARY:** No report on the Library was given at this time.

**SELECTWOMAN – KASPRZAK - PLANNING BOARD, HERITAGE COMMISSION:** M. Kasprzak reported that the Planning Board held its reorganizational meeting and held discussion of creating a village district and light industrial district. This effort may take up to two years and funds may be needed to accomplish the task(s). M. Kasprzak reported that the Heritage Commission discussed options with regard to obtaining wireless access to the internet for use at its meetings and worked on a survey of homes dating from the 1700-1800 period.

**SELECTMEN GRAHAM - SCHOOL BOARD, ENERGY COMMITTEE:** C. P. Graham stated that the School Board has not met since the Election and that the Energy Committee did not hold a meeting in March.

**CONGRESSMAN GUINTA’S REPRESENTATIVE WILL BE AVAILABLE AT TOWN HALL,  
APR 26, 1-2 PM**

**OTHER**

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**Coach Lane Swales and Culverts:** R. P. McDermott referred the Board to a proposal from the Road Agent for work in this area. C. P. Graham asked whether the proposed work will improve conditions. R. P. McDermott stated he felt it would, however, it would not address the water coming down paved driveways. C. P. Graham referred to the response received from counsel in this regard and asked if this matter should be referred to the Planning Board. R. P. McDermott asked L. A. Ruest to work with the Chair to get this matter on a future Planning Board agenda.

C. P. Graham questioned if funds are available for this work and suggested that the Board review the spreadsheet of proposed projects for 2012 and prioritize in order to obtain a better idea of a spending plan for road work. M. Kasprzak agreed. R. P. McDermott will add this to the list of items to be reviewed with E. N. Small and D. Robinson as discussed earlier.

### **PUBLIC COMMENT**

T. Samway, Old Stage Road, reported that he provided information on “tethering” with regard to the need for wireless internet services at the Town Hall. L. A. Ruest stated she passed this information to David French who is seeking options in this regard.

B. Mutrie, Brown Road, asked that the minutes from last meeting where she inquired about the proposed web site for the Town stating that she did not feel the Library Trustees would be willing to contribute toward the cost be changed as she has no authority to speak on behalf of the Library Trustees. L. A. Ruest explained that the minutes reflect the action that was taken at that meeting and that this meeting’s minutes would reflect her concern.

### **REVIEW AND APPROVAL OF PREVIOUS MINUTES -- MAR 21**

**MOTION:** To approve the minutes of the March 21 as written.

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

### **NEXT SELECTMEN’S MEETING – WEDNESDAY, APRIL 18, 2012, 6:30 P.M., TOWN HALL**

**MOTION:** To adjourn the meeting at 8:45 p.m.

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