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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

RECYCLING / SOLID WASTE COMMITTEE – CONTRACT FOR SOLID WASTE & RECYCLING SERVICES: Committee members Ken Nydam and Eric Caldwell were present. The question before the Board is whether to go out to bid for a new contract or continue with the current contract and provider (Northside Carting). The current contract expires March, 2013. Following discussion, it was recommended that the Board first request bid from the current provider to include weekly recycling without increased costs. If this is not acceptable, the Board could decide to put the matter to bid. A term of two to five years was suggested to include the term running with the Disposal District contract terms. The Board requested that K. Nydam prepare questions to consider during discussions with Northside. It was also determined that a review of the contract is needed in order to address minor issues that have come up over the term of the contract.

BUILDING INSPECTOR, CODE ENFORCEMENT, and HEALTH - MONTHLY REPORT: The Board acknowledged K. C. Kelley's report for June.

CODE COMPLIANCE – 37 LINDEN RD: P. Campbell, L. Garguilo and R. Lawlor, residents of Linden Road, were present. K. C. Kelley provided a history of the issues relating to this matter and stated that a letter is forthcoming from town counsel to the Town and property owner.

K. C. Kelley provided the Board with a status of the violation of numerous motor vehicles, potential auto repair facility and possible multi-living units. C. P. Graham reviewed the status of this matter in conjunction with a similar violation on Crank Road and other zoning violations the Code Enforcement Officer is aware of. K. C. Kelley reported that the Linden Road matter has been going on since 2004 based on a note on the tax card. He stated that he became aware of living units when Mr. Garguilo first complained of a sexual offender living at the residence. An inspection of the home took place in February 2012 where life safety concerns were identified.

R. P. McDermott opened discussion to members of the public. L. Garguilo explained that in addition to the multi-family dwelling, there appears to be an auto repair business in the garage to include test driving through the neighborhood. He stated he didn't understand why this matter is not being resolved quickly and asked that the Board take action. C. P. Graham stated his concern with the timing of October 2011 until July 2012 and stated that Board members were not aware of the intensity of the situation. K. C. Kelley stated some use is taking place with vehicles to include a flatbed and other services; he stated he would start to take photos. The Board asked the Police Chief to monitor vehicles parked on the road as reported by L. Garguilo. R. Dirsra stated he would provide information to his personnel, however, indicated the Police Department does not get involved in zoning matters. R. Lawlor asked if the Code Enforcement Officer has contacted Simeon's Garage to find out why these vehicles are in the neighborhood. The Board asked K. C. Kelley to contact the Garage. It was confirmed that the property owner of 37 Linden has not yet been notified of all violations and that the matter is with counsel.

ROAD AGENT - MONTHLY REPORT: The Board acknowledged the monthly services conducted by D. Robinson in June. R. P. McDermott asked if the \$40 charge for a road race can be billed to the

DRAFT

race officials and whether a \$150 charge for services to the Fire Department can be charged to the Fire budget.

NH/EPA STORM WATER NEEDS ASSESSMENT – APPLICATION SUBMITTED: E. N. Small reported that an application has been completed and submitted on behalf of the Town in this regard. Should funds become available, Hampton Falls may be eligible for funding.

ELM TREES- NEW PROGRAM AND COST FOR SHIPPING: E. N. Small referred the Board to information received from the Elm Research Institute with regard to obtaining elm trees. E. N. Small suggested that the Board first identify locations to plant the trees in order to decide how many are to be ordered. He noted that the Town may not be able to plant trees on Route 88 as this is a State road and State right of way. He will contact District 6.

Two locations for replacement of dead or dying trees is the front of Town Hall and the Town Common. It was felt that there may be ten locations; however, there is a need to check with property owners and District 6.

MOTION: To purchase ten elm trees from the Elm Research Institute, sponsor of the Liberty Tree Society, to be delivered next year for planting in 2013.

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

ORDERED SALT FOR COMING SEASON 600 TONS, SAME AS LAST FEW YEARS: E. N. Small reported that 600 tons of road salt has been ordered for the upcoming winter season and that there are approximately 20 tons on site at the Brush Dump.

E. N. Small reported that **UNITIL REMOVED PINE TREE FROM TAYLOR RIVER RD**

WINTER ROAD MAINTENANCE AGREEMENT: Discussion took place with regard to renewing the winter road maintenance agreement with Environmental Landscape Management. It was agreed that matters such as pre-marking the sides of the road and providing snow removal and salt treatment to government buildings need to be discussed. A work session is tentatively scheduled for Wednesday, July 25. D. Robinson was asked to attend.

HIGHWAY SAFETY COMMITTEE – JULY 10 MEETING: E. N. Small referred the Board to the Committee minutes where two requests are being made to the Board; one relates to placing a chevron sign at the intersection of Brown Road and Towle Farm Road and another relating to placing a “blind drive” sign and trimming bushes at the corner of Drinkwater Road at or near number 11. The Board approved and noted other areas needing attention – Nason Road sign blocked by foliage and additional brush cutting needed at the intersection of King Street and Drinkwater Road.

ROAD IMPROVEMENT PLAN AND FINANCING AVAILABLE: E. N. Small reported that D. Robinson has reviewed the RSMS report and prioritized road improvement/repair needs for 2012. He

DRAFT

will next apply a cost to each service and submit the listing to the Board. R. P. McDermott asked that the RSMS costs be included in the listing as well for comparison.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT - MONTHLY REPORT: The Board acknowledged the Fire Chief’s report for June. Fire Chief J. M. Lord was not present as he is participating in Fire Crew.

FIRE AT WAKEDA – JULY 11: The Board signed a letter of thanks to the Fire Department for its efforts relating to a recent fire at Wakeda Campground.

POLICE CHIEF, ANIMAL CONTROL - MONTHLY REPORT: The Board acknowledged the June report from the Police Department. R. Dirsa reported that the Police Department obtained a compliance letter from Juvenile Justice (State of NH).

MS4 STORM WATER REGULATIONS – JONATHAN RING OF JONES & BEACH: Jon Ring of Jones and Beach Engineers was present to provide information to the Board of Selectmen on new regulations relating to storm water and US EPA MS4 Permits. J. Ring provided the Board with a lengthy report and overview agenda of the topics addressed in the report. He reported that the Environmental Protection Agency (EPA) is getting strict with MS4 regulations and storm water management plans. J. Ring noted that that the Town of Hampton Falls does well with its Planning Board requirements and Master Plan to address storm water, however, the EPA will be looking for an annual report from the Town based on its plan, which has not yet been created. J. Ring identified the area of the Taylor River Refuge Pond (Route 95) that carries over into Hampton Falls as an area of concern.

He provided recommendations to include inventory and inspection of town properties, preparation of assessment map and report of issues, review and approval of SWA storm water standards, enforcement of EPA storm water pollution prevention plan and funding.

• **OLD BUSINESS**

FINANCIAL REPORTS - GENERAL FUND BALANCE \$2,346,700

TOWN CLERK – RECEIPTS - \$28,533

MISCELLANEOUS RECEIPTS - \$2,369

TAX COLLECTOR – RECEIPTS - \$2,542,849

ACCOUNTS PAYABLE: WARRANT #313 -- \$ 54,585.81 WARRANT #314 - \$6,268.67 WARRANT #315 - \$742,127.27 WARRANT #316 - \$11,037.90	PAYROLL: WARRANT #190 - \$9,945.65 WARRANT #191 - \$19,563.63 WARRANT 192 - \$22,038.10	SUMMARY AP #S- 313- 316 - \$ 814,019.65 SUMMARY PR #S 190-192 - \$ 51,547.38
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MOTION: To approve accounts payable warrants 313 through 316 totaling \$814,019.65 and payroll warrants 190 through 192 totaling \$51,547.38 as presented.

MOTION: C. P. GRAHAM

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SECOND: M. KASPRZAK
UNANIMOUS

SELECTMEN'S ACTION ITEMS FROM PREVIOUS MEETING: E. N. Small reported that he spoke with the Town's representative from the Department of Revenue Administration with regard to Articles 9 and 19, 2012. Apologies were extended to the Town and the matters will need to be corrected next warrant.

E. N. Small reported that the Tax Collector is preparing a Tax Collector's deed for Faro Gardens (Map 7, Lot 50) and that the owner has been informed.

Acoustical panels in the meeting hall will be repaired when the contractor has another job in the area in order to save on costs. D. Robinson will be obtaining a larger sign on the recyclables collection container at the Brush Dump.

FARMER'S MARKET LINK ON TOWN WEBSITE AND VOTE OF JUNE 6 – "NO INDIVIDUALS ADVERTISING OFF THE FARMER'S MARKET WEB SITE." The Board determined that the link to vendor web pages is not appropriate. L. A. Ruest will contact J. Ashak to let him know and request a listing.

COMCAST FRANCHISE- KATE MILLER EMAIL OF JUNE 21: A summary of changes is forthcoming. E. N. Small will check on the status.

REVIEW OF DEPT. HEAD GOALS: Board members identified tonight's earlier discussion as an example of the need to address streamlining code enforcement between K. C. Kelley and the Board of Selectmen in order to get a better understanding, to include better tools, to bring about more immediate results to violations and other code enforcement actions. It was agreed that information needs to get to the Board of Selectmen as numerous months is problematic. The Board questioned whether K. C. Kelley keeps the Town Administrator informed. E. N. Small stated that it is the responsibility of the employee to bring issues, as well as day-to-day matters, to his attention. All agreed that streamlining a code enforcement process with the Board should be the number one goal of K. C. Kelley's office. Concern was expressed regarding K. C. Kelley reporting on taking part in inspections with Fire Department employees; he is not a Fire Department employee and the Board would rather K. C. Kelley's efforts be placed with Code Enforcement.

Town Administrator: Following discussion, it was agreed to move the utility assessments goal to number one. E. N. Small will be working with Glenn Walker with regard to utilities. It was also determined to review a proposed investment policy as well as an ethics policy as part of goal #2.

NEW TOWN WEBSITE – VIRTUAL TOWN HALL: L. A. Ruest informed the Board of the beginning work done on the new web site so far. One meeting was held to determine layout and design of the web page. A tentative date for the new site is mid-September.

MS-1 (SUMMARY - VALUATION) & MS-4 (REVENUES) REPORT-DUE SEPT 1: E. N. Small *and Diana Calder* will be preparing these reports on behalf of the Town.

DRAFT

TOWN OFFICE COPIER: L. A. Ruest provided a status of repair of the SAVIN copier at the Town Hall. She explained that a part needed is not able to be obtained by Conway Office Solutions. Research on the internet found the part at a price ranging from \$550 to \$900. Discussion took place with regard to repairing an aging machine or taking the opportunity to hold on to the loaner copier from Conway in order to allow time to research and budget for a new machine in 2013. The Board determined that the loaner copier is to remain to allow time to research and fund a new copier.

MID-YEAR EXPENDITURE DATA – SPREADSHEET: E. N. Small reported that based on his review of the June report, budgets appear to be in good order. He noted that he is beginning work on budget worksheets for 2013.

DISABLED EXEMPTION: E. N. Small reported that a previously approved exemption for a disabled property owner has been found to be disqualified. The application has been marked approval withdrawn due to income requirements.

MOTION: To disqualify the Disabled Exemption previous granted for Map 8, Lot 83-11.

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

ESTIMATES FOR NEW FURNACE FOR THE TOWN HALL MEETING ROOM: The Board reviewed a listing of four prices obtained for replacement of the furnace that heats the Town Hall meeting room. E. N. Small noted that contingency funds could be used to assist with this cost.

MOTION: To authorize the removal of the old furnace and installation of a new furnace by Webber Energy at a cost not to exceed \$5,249.

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

PURCHASE OF PROPANE FUEL: Following review of prices obtained for propane for the 2012-2013 heating season, the Board approved the price of \$1.7210 per gallon from Webber Energy for 7,000 gallons to service the Town Hall, Public Safety Building and Old Library/45 Exeter Road.

MOTION: To approve the price of \$1.7210 per gallon from Webber Energy for 7,000 gallons to service the Town Hall, Public Safety Building and Old Library/45 Exeter Road.

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

SWITCHING OF FULL TO ALTERNATE POSITIONS – CONSERVATION COMMISSION: E. N. Small reported that the Conservation Commission met and identified members who would like to continue to participate, however, change status from full member to alternate member. E. N. Small explained that he has informed the Conservation Commission Chair that the changes need to be

DRAFT

requested of the Board of Selectmen as it is the appointing authority. The Board requested that an updated listing be brought to a future meeting for consideration.

OTHER

Compensation Committee: M. Kasprzak inquired as to the status of the work of this Committee. C. P. Graham explained that the Committee has been meeting twice per month, however, does not feel its report will be ready for the August 1 meeting. He provided an overview of the discussion and health insurance plans being discussed to include potential savings.

Roadside Mowing/Brush Cutting: Discussion took place with regard to the listing of roads for mowing and brush cutting used this year and the decision to rent equipment for brush cutting. It was noted that when this work was budgeted, it anticipated the use of a machine where the Road Agent did the work by hand. The Board agreed that the resulting work looks good. Question was raised as to whether a second mowing should take place. E. N. Small will ask this question of D. Robinson to determine whether it is needed and when the work would be done.

Refinishing of Town Hall Meeting Floor: R. P. McDermott asked that \$1,800 be included in the 2013 budget to refinish the meeting room floor.

PUBLIC COMMENT

Referring to the elm tree project, R. Ruest, Coach Lane, suggested that the location of the tree removed illegally on Depot Road be one of the locations for the planting of a new tree. He also requested that the Board address the sign violations along Route 1 providing education to business owners with regard to the regulations and that amount and manner of signage available to them.

Referring to the Linden Road violation, B. Mutrie, Brown Road, stated she felt it is not illegal to repair cars in one's own driveway and cautioned taking action before determining if the cars belong to the persons residing in the home. R. P. McDermott stated that if there is a complaint, there will be action. C. P. Graham stated that the Board has power to do more and E. N. Small noted that if the Code Enforcement Officer sees something in violation, he should address it. C. P. Graham noted that there are visible items that do not require a complaint and M. Kasprzak stated the Code Enforcement Officer should be informing the Board of Selectmen sooner. C. P. Graham agreed that matters should be brought to the Board's attention so that there are reasonable expectations; there are complaints being made where K. C. Kelley is not addressing them.

B. Mutrie requested that the price for the furnace be sent to the Energy Committee for review. She also asked if the Board would be considering a water softening system for the Town Hall next budget as the Historical Society is experiencing the same water problems as water is provided from the Town Hall. E. N. Small questioned the condition of the pipes under the road.

• **NEW BUSINESS**

BOSTON POST CANE – OLDEST RESIDENT IN HAMPTON FALLS: E. N. Small reported that Beverly Woodward is the next resident to receive the Boston Post Cane. He asked that the cane be

DRAFT

presented at her home rather than the Town Hall. He and R. P. McDermott will go to her home to present the cane.

LETTER RE 2013 ANNUAL BUDGET: The Board signed the memo prepared by E. N. Small with regard to the upcoming budget review, town report preparation and 2012 audit date.

CRANE WETLAND CROSSING SECURITY REDUCTION: The Board reviewed Jones and Beach Engineers letter of July 12 with recommendation to reduce security.

MOTION: To release \$11,035 as recommended by Jones and Beach Engineers report of July 12 from the Crane Wetland Crossing Security account held by the Treasurer.

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

ABATEMENT –REFUNDS AND A REFUND ON PROPERTY TAXES: The Board signed approval as recommended by the Tax Collector.

APPLICATION FOR AN ELDERLY EXEMPTION: The Board signed approval for a Crank Road property owner.

CAPITAL IMPROVEMENT PROGRAM – PROJECT 2013-2018: E. N. Small referred the Board to the request for 2013-2018 projects. Worksheets are due Monday, August 27.

USE OF TOWN HALL BY REPUBLICAN PARTY - FEE FOR USE? The Board reviewed a Selectmen’s Permit request for use of the Town Hall for monthly meetings of this group. It was found to be acceptable and a fee of \$25 per month is to be charged.

MOTION: To approve the request for use of the Town Hall with a \$25 fee per month charge.

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

ACCEPTANCE OF AN ANONYMOUS DONATION OF \$2,500 - “TO BE APPLIED TO THE RESTORATION, CLEANING OF GRAVESTONES AND MAINTENANCE OF THE TOWN CEMETERIES OF HAMPTON FALLS.” – AN EXPENDABLE FUND TO BE HELD BY THE TREASURER FOR USE BY THE CEMETERY TRUSTEES: L. Walker reported that an anonymous donation has been received for the purpose of restoration, cleaning of gravestones and maintenance of town cemeteries. This money is to be deposited to a fund strictly for these purposes. E. N. Small stated that he spoke with the auditor and determined that the donation should be deposited to a special fund held by the Treasurer; the Cemetery Trustees will submit bills to the Treasurer for payment.

MOTION: To accept the anonymous donation of \$2,500 for the purposes of restoration, cleaning of gravestones and maintenance of Town cemeteries of Hampton Falls.

DRAFT

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

RENEW AGREEMENT WITH SUE BENOIT: E. N. Small requested consideration of the Board to renew the agreement with Welfare Agent Sue Benoit.

MOTION: To enter into an agreement with Sueanne Benoit for a term of one year at \$2,000 per year.

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

OTHER

Notice to Residents – Newsletter to be available through “Subscribe To” section of new web site: L. A. Ruest asked the Board to review the draft notice and respond if it’s okay. Once approved, the notice will be provided to R. P. McDermott, Lieutenant Boynton and Judy Haskell for distribution through their email listings. The notice will also be posted throughout Town and a request will be made to the newspaper to print an article.

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

REVIEW AND APPROVAL OF PREVIOUS MINUTES - JUNE 20: Review of the June 20 minutes will take place at the Board’s next meeting of August 1.

NEXT SELECTMEN’S MEETING – WED., AUGUST 1, 2012, 6:30 P.M., TOWN HALL

MOTION: To go into non-public session at 9:40 p.m. in accordance with RSA 91a, II. (C) Matters Affect Adversely a Person’s Reputation –Extends to Abatements-Inability to Pay.

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

MOTION: To go out of nonpublic session and resume at 10:15 p.m.

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

MOTION: To reconsider denial of an adjustment to assessment for Map 8, Lot 83-3 and schedule a decision for August 1.

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

DRAFT

MOTION: To adjourn the meeting at 10:30 p.m.

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