

DRAFT

PRESENT: L.M. Smith, Chairman; J.E. Ziolkowski, Vice Chairman; R.P. McDermott, Selectman; L.A. Ruest, Town Administrator; S.H. Ayer, Secretary

This meeting was videotaped by resident Margaret Allen, Hillcrest Drive.

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY REPORT: The Building Inspector’s report covering July 13 through August 9 was acknowledged by the Selectmen. Mark Sikorski informed the Board that he is in the process of getting new code enforcement software up and running, and is working with the company to create templates for permit entry.

ROAD AGENT – MONTHLY REPORT: The Selectmen reviewed the Road Agent’s invoice of July expenses and the spreadsheet of 2016 Road Projects. It was noted that the retaining wall at the Public Safety Building’s parking area has been completed.

ROAD SALT CONTRACT (2016/2017): Pricing has been received from two road salt contractors, Morton Salt and Granite State Minerals. After a brief review in which it was noted that prices for both are less than last year, the Board decided to reserve 600 tons of salt from both contractors, as done in the past.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT: The Selectmen acknowledged the July narrative report of the Hampton Falls Fire Department.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT: The Selectmen acknowledged the July report of the Police Department.

• **OLD BUSINESS**

Financial Reports - General Fund Balance \$2,640,289.94

The Board acknowledged receipt of the following reports:

Treasurer Monthly Report—For Period Ending July 31

Tax Collector Report – MS61

Bookkeeper Reports – Expenditures & Revenues

ACCOUNTS PAYABLE/PAYROLL/TREASURER/TRUSTEES OF TRUST FUNDS WARRANT(S)

MOTION: To approve the following warrants as presented by the Bookkeeper and Treasurer:

Payroll check warrant	#349	\$31,753.98
Payroll check warrant	#350	\$16,555.40
Accounts payable warrant	#530	\$274,448.01
Accounts payable warrant	#531	\$913,546.73
Accounts payable warrant	#532	\$650.00
Treasurer’s Warrant	#13	\$1553.40

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Treasurer's Warrant	#14	\$136.09
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MOTION: R. McDermott

SECOND: J. Ziolkowski

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GASB 45 VALUATION REPORT PROPOSALS: The Board reviewed two quotes and approved the proposed services of Jefferson Solutions in preparing a valuation report under GASB (Government Accounting Standards Bureau Statement) 45, which relates to retiree benefits. This report would be for three years going forward, at a total cost of \$2,500. This amount is substantially less than the other quote received.

MOTION: To accept the Jefferson Solutions, Inc. proposal for a GASB 45 valuation for 3 years, at a total cost of \$2,500.

MOTION: R. McDermott

SECOND: J. Ziolkowski

UNANIMOUS

DISASTER RECOVERY PLAN: The Board reviewed a sample Disaster Recovery Plan to determine if it is an acceptable format to be reproduced for Hampton Falls.

L Ruest will go over the document to make changes, and highlight sections that do not pertain to Hampton Falls. The Fire Chief will be asked for input, and the matter will be discussed at a work session on 9/13/16.

HEALTHTRUST MEDICAL AND PRESCRIPTION PLANS 2017: There was a brief discussion of the HealthTrust medical and prescription plans. At present, despite efforts to choose plans that will avoid the "Cadillac tax", all three of the plans available to employees will trigger a "Cadillac tax" in the future. The Select Board will need to address this matter before 2020.

CAPITAL IMPROVEMENT PLAN 2017-2022: The Board approved requests for improvements to the Town Hall entrance doors and requests for Highway Capital Reserve Fund be brought forward for consideration for 2017. Improvements to the Historical Society Museum will be put off pending results of the structural engineering study being done.

The Selectmen had no further suggestions for capital improvement items at this time.

OTHER

SEPTEMBER-OCTOBER NEWSLETTER: The Selectmen reviewed the draft Town newsletter and approved it for distribution. L. Smith suggested mention should be made of the Proclamation naming August 25 Jamaican Appreciation Day in Hampton Falls, to inform Town residents who may not be aware of it.

SLATE ROOF REPAIR – TOWN HALL: L. Smith reported that an evaluation of the slate roof at the Town Hall identified repairs needed that will cost \$1,100.

MOTION: To retain the contractor to repair the Town Hall slate roof at a cost of \$1,100, using encumbered funds.

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MOTION: R. McDermott

SECOND: J. Ziolkowski

UNANIMOUS

FIREWORKS ORDINANCE: L. Smith suggested revisiting the issue of a Fireworks Ordinance at the work session of 9/13/16.

It was noted that three topics are now set aside for work session discussion: Solid Waste, Disaster Recovery, and Fireworks. It was decided to schedule all three for one work session and get through as much as possible. A work session was set for Tuesday, September 13 at 9:30 AM.

- **NEW BUSINESS**

PROCLAMATION – JAMAICAN APPRECIATION DAY: L. Smith recognized Friends of the Bandstand Committee members Lyn Stan and T. J. Wheeler, and noted that on August 25th, the last Concert on the Common of the season will feature Jamaican music. A proclamation will be read by L. Smith beginning at 6:15 PM naming that date as Jamaican Appreciation Day, followed by the concert at 6:30 PM. A reception will be held at the Applecrest Farm creamery after the concert, and all three Selectmen were encouraged to attend to show Town support.

Lyn Stan spoke on the topic, saying this recognition of the Jamaican community, who have comprised an annual work force at Applecrest Farm Orchards for nearly 60 years, is long overdue.

T. J. Wheeler provided more detailed information on the history of the Jamaican people in Jamaica and here in Hampton Falls.

ROUTE 88 – RESIDENT REQUEST FOR SPEED LIMIT REDUCTION: The Chairman took this item out of order.

Tony Delano of Exeter Road (State Route 88) was present to speak regarding his request for a speed limit reduction on that road. He referred to emails he had shared with Town officials, in which he had asked State DOT personnel about initiating a process for reducing the speed limit. He was told that speed zones are determined on the basis of engineering and traffic studies, and also that given the way the State calculates regulatory speed limits, it was unlikely to be reduced. However, he was also told that requests should be made through the Town office, and should have Town support.

Citing what he felt are dangerous conditions for pedestrians and bicyclists, given changes in traffic volume and speed and increased motorist distractions, he asked for help from the Selectmen. The Board referred the matter to the Highway Safety Committee.

SELECTMEN’S PERMIT – LOCO SPORTS ROAD RACE, SUNDAY, SEPT. 11, 2016:

A Selectmen’s Permit has been applied for by LOCO Sports for a 5K road race which will take place partly on Town roads on Sunday, September 11. In addition, Applecrest Farm Orchards has applied for an extension of its liquor license for the event at Applecrest Farms following the race.

An extension of Applecrest’s liquor license has also been requested for the 8th Annual Orchard Cross Cyclocross bike race taking place on October 30.

MOTION: To authorize the Chairman to sign the Selectmen’s Permit for the LOCO 5K race on September 11, 2016, with the contingency that a traffic control discussion will take place with the Police Chief prior to the event.

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MOTION: L. Smith
SECOND: J. Ziolkowski
UNANIMOUS

MOTION: To authorize the Town Administrator to send comment letters re: the extension of the liquor license for both the event on September 11 and the event on October 30 at Applecrest Farm Orchards.

MOTION: R. McDermott
SECOND: J. Ziolkowski
UNANIMOUS

COMCAST FRANCHISE FEES – 2ND QUARTER 2016 - \$8,006.82:

MOTION: To accept the Comcast franchise fees for the 2nd quarter of 2016 in the amount of \$8,006.82.

MOTION: J. Ziolkowski
SECOND: R. McDermott
UNANIMOUS

MS-1 AND MS-434: MS-1 Summary of Valuation and the MS-434 Estimated Revenues forms due to the Department of Revenue Administration (DRA) by September 1, were reviewed by the Board. Both forms will be uploaded to the DRA portal.

REPLACEMENT COMPUTER FOR DEPUTY TOWN CLERK: The Deputy Town Clerk's computer needs replacement, and the Board was asked to approve the expenditure as it is more than \$1,000.

MOTION: To approve the purchase of the computer per the proposal presented, at a cost of \$1,070.

MOTION: R. McDermott
SECOND: J. Ziolkowski
UNANIMOUS

2017 BUDGET WORK SESSIONS: After some discussion, the budget work sessions were set for the dates of September 27 and September 29 at 9:30 AM.

HIGHWAY BLOCK GRANT AID: These numbers were not available at the time of this meeting.

NH DOT RESURFACING OF ROUTE 1 (PROJECT 40424): The NH Department of Transportation project resurfacing Route 1 from Rocks Road in Seabrook to near Park Avenue in Hampton is expected to begin in the Spring of 2017, and the anticipated completion date is in October of 2017.

The Board reviewed the Municipal Work Zone Agreement, which it was noted also covers the work to be done on one sidewalk in Hampton Falls.

L. Ruest asked the Board to consider what other work may be needed that the State DOT can work on while here, for example, catch basin improvements at the corner of State Rtes. 1 and 88. In this area, water washes across the road and freezes in the wintertime.

MOTION: To sign the Municipal Work Zone Agreement, in triplicate, as presented.

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MOTION: R. McDermott
SECOND: J. Ziolkowski
UNANIMOUS

FALL HOUSEHOLD WASTE COLLECTION DAY: October 15 was set as the date of the Fall Household Waste Collection Day for 2016.

RESIDENT REQUEST – MOWING OF TOWN COMMON: J. Ziolkowski stepped down from his seat on the Board to speak as owner of ELM Landscaping.

There was a discussion of the resident's concern that at the time of the Thursday Concerts on the Common, the grass is often in need of mowing. J. Ziolkowski said that the mowing is done in coordination with the mowing of Governor Weare Park, which is mowed on Fridays prior to athletic events on the weekends.

J. Ziolkowski also said that in his opinion, the stress on the turf of people walking, sitting and laying down blankets is greater if the grass has just been cut. He said this is different than the impact of such things as a soccer game.

Residents present said that beyond the length of the grass was the issue of more bugs in the longer grass, as well as cut grass left behind.

It was decided to mow on the next two Tuesdays, in advance of the next two concerts, and the schedule for next year can be discussed.

J. Ziolkowski returned to his seat on the Board.

OTHER

L. Smith said that he has had problems with the web-based email the Selectmen are now using, and will call 2-Way Communications for help.

PUBLIC COMMENT RELATING TO THIS MEETING'S AGENDA ITEMS

Stacy Kinnaly of Victoria Drive thanked the Selectmen for looking into recording equipment for the Board meetings, as it is difficult to hear in the meeting room.

S. Kinnaly also said, in reference to T. Delano's request for Town support for looking into lower speed limits, that in the Master Plan workshops last fall, ideas shared showed support for this, and that it would be worth suggesting that the Highway Safety Committee look at the results of the Master Plan Committee's report.

L. Smith said that one reason for adding fog lines to the sides of the roadways was to delineate the walking/biking area, even though many of the Town's roads are not wide enough to provide much of a shoulder, and are being done as a result of resident input at the Master Plan workshops.

Todd Santora, Planning Board and Capital Improvement Plan (CIP) Committee Chairman, said that the Planning Board will be looking into the nuisance ordinance, and that as part of the research the Planning Board will look at noise ordinances from surrounding towns. He offered to share the information if it might help when working on the Fireworks Ordinance. L. Smith requested that T. Santora talk with the Police Chief if any noise ordinance is to be considered, as his department will have to enforce it.

T. Santora stated that the CIP meeting dates will be September 21, September 28, and October 5 this year.

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T. Santora then asked how much the retaining wall at the Public Safety Building cost, and was informed it cost \$6,000, which was budgeted under Government Buildings. He then asked why this needed to be done, and L. Smith explained that it puts available parking back in place after construction of the new building. T. Santora then asked if this was a planned part of the project, and was told that it was.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: 7/20/2016, 7/27/2016 and 8/10/2016

L. Smith asked for the following amendments to the minutes of July 20:

On page 4, under “NH LIQUOR COMMISSION—APPLECREST...”, the last sentence should be amended to read:

~~“With Board approval The Board authorized the Chairman signed to sign the letters....”~~

At the bottom of page 4, under RELEASE OF IMPACT FEES, the paragraph should be amended to read,

“L. Smith read from the Zoning Regulations Article IX Section 8.4 and consultant Bruce Mayberry’s report prepared May 2003 to support his inclination to release all ~~held~~ impact fees to the Winnecunnet Bond. ~~There is no building that would be affected, and in addition, he noted that~~ The enrollment at Lincoln Akerman School has reduced, from 259 students in 2002 to 244 at present and therefore does not qualify for these fees based on the Town’s Impact Fee Ordinance.”

MOTION: To approve the minutes of July 20 as amended.

MOTION: R. McDermott

SECOND: J. Ziolkowski

UNANIMOUS

MOTION: To approve the minutes of July 27 as written.

MOTION: R. McDermott

SECOND: J. Ziolkowski

UNANIMOUS

MOTION: To approve the minutes of August 10 as written.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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Motion to enter Nonpublic Session made by R. McDermott, seconded by J. Ziolkowski

Specific Statutory Reason cited as foundation for the nonpublic session:

 x__ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

 x__ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

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- RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*
- RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*
- RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*
- RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

Roll Call vote to enter nonpublic session: Richard P. McDermott, Selectman Y
 Larry M. Smith, Chairman Y
 James E. Ziolkowski, Vice Chairman Y

Entered nonpublic session at 7:55 p.m.

Public session reconvened at 8:01 p.m.

MOTION: To adjourn at 8:02 PM.

MOTION: J. Ziolkowski

SECOND: R. McDermott

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