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

POLICE CHIEF

The Chairman took Police Chief Robbie Dirsa out of order to introduce Justin Dody, a candidate for part time Police Officer, to the Selectmen. R. Dirsa gave a brief background of Officer Dody, and recommended him to be hired on a 6 month probationary basis.

MOTION: To accept Chief Dirsa's recommendation and hire Justin Dody as Part Time Police Officer for a 6-months probationary period.

MOTION: R. McDermott

SECOND: Z. Ziolkowski

UNANIMOUS

LINE PAINTING: Residents of Linden Road addressed the Board to express their displeasure about the painting of fog lines on the road. The residents said they would like the lines to be painted over. Smith explained that the lines were painted after Master Plan visioning sessions that took place in the Fall of 2015, during which residents expressed concern about safety when walking, running and biking on the roads in town.

Tracey Beattie of Drinkwater Road asked what the cost of the painting project was.

R. McDermott said that the cost for the yellow center lines was seven cents per mile, and for white, eight cents.

Complaints from residents continued, including that they did not see that safety was enhanced, that the cost was unnecessary, and that they felt violated by the sight of the lines.

J. Ziolkowski said that in hindsight, he agreed with the residents, and that some of the roads should not have been painted. He also said that aside from the initial decision, the work was not done correctly in some cases.

The Board took the comments under advisement and will discuss the matter at the next workshop meeting.

TAX COLLECTOR – MORTGAGEE SEARCH: The Board has received a request from Tax Collector Stephanie Grant, seeking to change the contracted person used for liening and deeding services. The Selectmen reviewed the letter and the proposed contract with a new service company.

MOTION: To approve the change of contractor of mortgagee search services to Jane Sanders of Sanders Searches, LLC, as recommended by the Tax Collector.

MOTION: J. Ziolkowski

SECOND: R. McDermott

UNANIMOUS

BUILDING INSPECTOR, CODE COMPLIANCE, HEALTH OFFICER – MONTHLY

REPORT: The Selectmen acknowledged the August report of the Building Inspector. Asked about the progress of the new permitting software program, Mark Sikorski reported to the Board that the data entry to the new program is a tedious process that he is working to streamline.

ROAD AGENT – MONTHLY REPORT: The Selectmen acknowledged the receipt of the Road Agent's report for August.

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STATUS OF 2016 ROAD WORK: Road Agent Dick Robinson reported that almost all road work initially planned has been completed, and within budget. Shoulder work is ongoing.

WINTER ROAD MAINTENANCE (WRM) 2016-2017: L. Ruest noted that the third year of the WRM contract begins on October 15. As this is the same day of the Household Waste Collection Day, she asked J. Ziolkowski to wait until afterwards to move his equipment to the Brush Dump.

FIRE CHIEF, AMBULANCE, EMERGENCY MANAGEMENT – MONTHLY REPORT: The Selectmen acknowledged the Fire Department report for August.

Fire Chief Jay Lord gave a lengthy update of information about the ongoing drought, after having participated in a conference call with the Governor, NH Department of Environmental Services (DES) and other government agencies on Friday.

He said that the drought has been ongoing since last winter and Southern New Hampshire is now in an extreme drought, for the first time since the late 1990's. The Governor has a drought task force that meets weekly to share recommendations and resources.

J. Lord said that the website for the DES, nhdes.gov, is a great resource for information on the drought and how to conserve water.

Discussion continued on topics specific to the Town, such as whether to impose a watering ban.

L. Smith said he would not like to initiate a ban, but instead put information out on the Town website, notices in the paper and message boards to encourage people to conserve water. He said the Town should be thinking ahead to next Spring and a possible ban at that time.

J. Ziolkowski said that sprinklers on the Common and sports fields have been used conservatively and have been off for 10 days now. L. Ruest said that the Town Hall sprinklers have been turned off.

J. Lord said that bonfires have been prohibited for the last two weeks, and that small fires will become problematic when the leaves are down. He said that due to the water shortage, different tactics may be used for brush fires than for house fires, such as containing them and letting them burn out.

J. Lord said that he has looked at the water sources in Town, identified 28, and said that he has a good supply on Route 1.

HIGHWAY SAFETY COMMITTEE RECOMMENDATIONS (AUGUST 8, 2016): The Committee looked at two situations and gave their recommendations. For traffic problems on Kensington Road and Janvrin Drive due to drivers trying to avoid congestion on Lafayette Road, the Committee suggested a temporary (June through October) block of Janvrin Drive using Jersey barriers, and also signage such as “No Outlet” at the corner of Kensington and Glenwood.

After some discussion, the Selectmen were in favor of signs at both ends of the road before resorting to barriers.

A second situation the Committee looked at was that on Pages Lane, both Seabrook and Hampton Falls have odd numbers on their respective sides of the street, and mail and deliveries are not going to the correct houses. The solution was to have residents put their full address, including the Town, on their mailboxes.

POLICE CHIEF, ANIMAL CONTROL – MONTHLY REPORT: The Selectmen acknowledged the August report of the Police Department. There was a short discussion of various items in the report, including that there were three fireworks complaints. L. Smith said that this and the drought both point toward completing a Fireworks Ordinance.

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STEP PATROLS – GRANT ACCEPTANCE: R. Dirsa reported that Lieutenant Ryan Veno had applied for and received two grants from the NH Office of Highway Safety. The STEP (Sustained Traffic Enforcement Program) Patrol grant supplies \$7,000 to be used in the period between October 1, 2016 and September 30, 2017 to pay for additional officer patrols to control dangerous and/or impaired driving.

The second grant provides \$3,600 to start a program of adding equipment to patrol cars to implement an e-ticketing procedure. This allows the officer to enter information into a computer which will print out a copy of the ticket for the driver. The grant will pay to put the equipment in all of Hampton Falls' cars, but the Town will need to pay for some installation.

The STEP grant will come out again in 2017; the equipment grant is a one- time opportunity.

MOTION: To accept the STEP grant, Project #314-17A-074, for initiating STEP patrols beginning October 1, 2016 through September 30, 2017.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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MOTION: To accept the e-ticketing initiative grant, Project #310-17A-033.

MOTION: J. Ziolkowski

SECOND: R. McDermott

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TRAFFIC CONTROL ORDINANCE: The Police Chief asked the Board to revisit this ordinance, which was turned down at the 2008 Town Meeting. R. Dirsa said the Ordinance was enacted in 2006 to provide direction to persons and contractors in situations where there may be problems of impeded traffic. He said it solidifies what the RSA tells a Police Chief he can do in the area of traffic control. At this time, R. Dirsa asked the Board to review and consider taking steps to get the ordinance back on the books.

L. Smith said the topic will be added to the agenda of one of the next workshops.

TRICK OR TREAT, OCTOBER 31, 2016, 5 P.M. – 7 P.M.

• **OLD BUSINESS**

FINANCIAL REPORTS

GENERAL FUND BALANCE \$1,968,209

The Board acknowledged receipt of the following reports:

Treasurer Monthly Report—For Period Ending August 31

Tax Collector Report – MS61

Bookkeeper Reports – Expenditures & Revenues

ACCOUNTS PAYABLE/PAYROLL/TREASURER WARRANT(S)

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

Payroll check warrant	#353	\$17,430.29
Accounts payable warrant	#535	\$706,401.18

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Accounts payable warrant	#536	\$630.00
Accounts Payable Warrant	#537	\$5,256.44
Treasurer's Warrant	#16	\$4,065.00

MOTION: R. McDermott

SECOND: J. Ziolkowski

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PAYMENTS DUE FROM TRUSTEES OF TRUST FUNDS:

MOTION: To authorize the Chairman to sign the Trustees of the Trust Funds transactions report for the period of May 5 through September 9 as presented by the Bookkeeper.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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COALITION COMMUNITIES (RECENT DECISION RE: EDUCATION FUNDING): The Selectmen reviewed the results of a court case, Dover vs. the State of New Hampshire, which addressed the issue of school underfunding. If the decision stands, Hampton Falls could receive a share in the amount of \$90,082.

AVESTA MEADOWS ONE LLC – SENIOR HOUSING – BROWN ROAD

L. Ruest gave an update on the status of the Avesta project, saying that the Planning Board responsibility has been completed, documents filed, and the mylar plans recorded at the Registry of Deeds. Issuance of the Building Permit is pending.

As the project is estimated to require 10 hours per week of building inspection work, and Mark Sikorski works 12 hours per week, the decision has been made to hire an outside inspector. L. Ruest will be working with the Town Auditor with regard to the handling of payment to the independent contractor for building inspection.

TMS ARCHITECTS BUILDING SURVEY RESULTS – HISTORICAL SOCIETY MUSEUM:

L. Smith recommended this matter be referred to the Town Improvement Committee (TIC), as they have been overseeing the work being performed on the Historical Society Museum.

The TIC will meet tomorrow, September 22. Historical Society President Cindy Wojcicki will plan to be present at the next meeting, October 18 at 8:30 AM. C. Wojcicki said that the architect has done most of the work of prioritizing repairs to the building. She said she hoped that some of the maintenance work can be done soon with Capital Reserve Fund money, and improvements done later with a Warrant Article.

OTHER

J. Ziolkowski said that following the Capital Improvement Plan Committee (CIP) meeting this morning, he felt specific road projects should be brought before the CIP for evaluation. L. Smith said that the roads identified in the Fall may not be the ones most urgently in need of repair after the winter is over. Roads are not identified by name in the Warrant articles for this reason, to leave the decision open to prioritizing needs. J. Ziolkowski said another issue was that the CIP should have an accounting of where the budget stands currently, what funding is left for work to do now.

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There was a discussion of how best to identify and bring forward road projects for the Warrant. J. Ziolkowski then said another issue that the CIP Committee wrestled with was funding requests for the Library building, feeling that the funding should fall under Government Buildings. There was a lengthy discussion about the separate government entities of Town and Library, and where funding comes from for various maintenance projects. The NH Municipal Association will be contacted to be sure all is being done correctly.

- **NEW BUSINESS**

SELECTMEN'S PERMIT – USE OF TOWN COMMON – BOY SCOUT TROOP 377–

11/11/2016 TRAVOIS RACE: There was a brief discussion of safety issues and parking. L. Smith said the Boy Scouts plan to erect a pole, which is acceptable as long as they fill the hole back in with the removed turf when they are done.

MOTION: To authorize the Chairman to sign the Selectmen's Permit for Boy Scout Troop 377 to use the Town Common on November 11, 2016 from 10:00 AM until 12:00 PM for a travois race.

MOTION: J. Ziolkowski

SECOND: R. McDermott

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SELECTMEN'S PERMIT – LOCO CYCLING, INC. – SPECIAL EVENT 10/15/16: The Selectmen reviewed this permit, for a charity bicycle ride to travel through Hampton Falls on Route 88, and on Sanborn, King and Drinkwater Roads. R. Dirsa noted that the bicyclists will not be stopping in Hampton Falls, only traveling through.

MOTION: To authorize the Chairman to sign the Selectmen's Permit for Loco Cycling, Inc. to have a portion of their bicycle race travel on Hampton Falls roads on October 15, 2016, with route and safety plan to be coordinated with Hampton Falls Police and Fire Departments.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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NH LIQUOR COMMISSION – APPLECREST FARM ORCHARDS, LLC: L. Ruest brought a draft letter of comment to the Director of the NH Liquor Commission regarding this event to the Selectmen's attention. The Town Administrator said that this process of providing comment letters for events serving alcohol is in the process of being streamlined. She said that it is important that these matters come to the attention of the public and the Board, but that within certain parameters of attendance, length of time, parking, etc., they can be handled by the Department Heads. She noted that this event, like many others, is repeated each year, and proposed that some can be approved outside of the Board of Selectmen once thresholds are identified.

STATE DRIVEWAY PERMIT APPLICATION – GOV. WEARE PARK: The Selectmen reviewed the driveway permit application for a driveway to access a proposed parking lot at the rear of

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the existing municipal playing fields. This was addressed at the most recent Recreation Commission meeting as well.

MOTION: To authorize the Chairman to sign the NH Department of Transportation driveway permit application for a second driveway access to Governor Weare Park.

MOTION: J. Ziolkowski

SECOND: R. McDermott

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PUBLIC COMMENT RELATING TO THIS MEETING'S AGENDA ITEMS

- Charlyn Brown of Exeter Road asked whether the Boy Scout event on November 11 would interfere with Veteran's Day services at the Common. It was clarified that the Veteran's Day service is set for 9:00 AM, and will be over before the Boy Scouts event (10:00 - 12:00).
- Tony Franciosa of Wadleigh Lane asked for further information about the parking lot proposed for Governor Weare Park, and whether the School has been included in the conversation. L. Smith said that the primary purpose for the parking was for sporting events on the fields, but that it can be used for other events as well. The Baptist Church has approached the Town and could use the parking space at times. L. Smith said that including the School is a good point.
- David Allen of Hillcrest Drive addressed the Board with a written statement, expressing his displeasure with an incident on August 17 when his wife and another woman were photographed during the meeting, and also his opinion that an ensuing article in the Hampton Union was inaccurate. L. Smith recapped the information he shared at the Selectmen's meeting of September 7, saying that under RSA91:A-2 (II), both videotaping and photographs were permissible. He said that he did not find the photographing to be disruptive, as he did not notice it until the women protested.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: 9/7/16 AND 9/13/16

L. Smith asked for the following amendments to the meeting minutes of September 7:

- Page 1, paragraph 1, third line: "L. Smith read from RSA 91:A-2 (II).
- Page 1, paragraph 1, lines 6, 7 and 9, references to Attorney Stephen Buckley: "The Chairman said he had also consulted with Attorney Stephen Buckley..... Attorney Buckley said he saw no reason to disallow.....based on the cited RSA and Attorney Stephen Buckley's counsel..."
- Page 2, **MOTION** under **NOTICE OF INTENT TO CUT**: "... subject to the applicant complying with Site Plan Review Regulations Article VII, Section 7.4 and certifying the placement ..."
- Page 2 under **DEPARTMENT OF LABOR ADMINISTRATIVE AUDIT RESULTS**:
1. "The inspectors ~~were~~ was unhappy...."
- Page 2, last paragraph, third line, "Inmates, under ~~the direction of CO Evans~~ his direction were brought...."
- Page 5, under **PICTURE POST**, fifth line: "The Board requested that the Conservation Commission ~~Chairman~~ be asked...."

MOTION: To approve the minutes of September 7, 2016, as amended.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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MOTION: To approve the minutes of September 13, 2016, as written.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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

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

 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 8:59 p.m.

Motion to leave nonpublic session and return to public session by R. McDermott, seconded by J. Ziolkowski

Motion: PASSED

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Public session reconvened at 9:04 p.m.

J. Ziolkowski initiated a discussion of the committee makeup of the Capital Improvement Plan Committee, specifically the request from Chairman Todd Santora that L. Ruest not be part of the Committee, but attend and participate in a non-member capacity. He indicated he felt there is merit to having the Town Administrator participate.

It was decided that this topic did not qualify for non-public session.

MOTION: To adjourn, at 9:15 PM.

MOTION: R. McDermott

SECOND: J. Ziolkowski

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