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PRESENT: Larry. M. Smith, Chairman; James E. Ziolkowski, Vice Chairman; Richard P. McDermott, Selectman; Lori A. Ruest, Town Administrator; Susan H. Ayer, Secretary

CALL TO ORDER: 10:05 AM

Meeting was videotaped by Margaret Allen, Hillcrest Drive.

REORGANIZATION OF THE BOARD OF SELECTMEN/COMMITTEE ASSIGNMENTS:

This agenda item was postponed to April 5, 2017 (recount scheduled for March 27, 2017.)

2017 PERAMBULATION WITH TOWN OF HAMPTON: The Chairman noted that this old custom of walking the boundaries with neighboring towns takes place every 7 years. The Town Administrator has spoken with the Hampton Town Manager and is working with him on locations and dates for the perambulation.

TOWN HALL SERVER REPLACEMENT: L. Ruest has reached out to the information technology company for the Town, 2-Way Communications, and learned that the proposal submitted late in 2016 is still valid; they quoted \$9,700 to do this work “in house.” There was a brief discussion of this cost vs. the cost of going to an external account.

MOTION: To go forward with the proposal from 2-Way Communications for Town Hall server replacement as presented.

MOTION: J. Ziolkowski

SECOND: R. McDermott

UNANIMOUS

PROPOSED PERSONNEL POLICY AMENDMENT: L. Smith read the proposed amendments to page 15 of the Personnel Policy:

“Full-time employees are eligible for paid vacation, as well as ~~part-time employees (hereinafter called “grandfathered part time employees”)~~ that receive it prior to the adoption of this policy. New part time hires are not entitled to vacation pay. regularly scheduled, permanent part-time employees who work 25 or more hours per week.”

“~~Grandfathered part time employees~~ Regularly scheduled, permanent part-time employees will be paid for vacation time on a pro-rated basis in accordance with his/her regular hours of work based on the vacation chart...”

There was a lengthy discussion on the number of minimum hours to be eligible for vacation pay, as well as the manner of calculating the number of hours to be offered in vacation time.

MOTION: To amend the Personnel Policy Vacation section to include regularly scheduled permanent, part-time employees who work at least 20 hours per week.

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MOTION: L. Smith

SECOND: R. McDermott

J. Ziolkowski said that he felt more discussion was necessary.

2 IN FAVOR; 1 OPPOSED; PASSES

MOWING AGREEMENTS EXPIRING: At the request of the Selectmen at the meeting on March 15, the Town Administrator contacted the current mowing contractors to request pricing for renewal of contracts. Going Green Landscaping replied with the same pricing as last year for both cemeteries and government buildings. The Cemetery Trustees Chairman is working on a mowing contract for the cemeteries on the Trustees' own behalf. To allow Environmental Landscape Management time to respond with their pricing for Governor Weare Park and the Town Common, this discussion was postponed until April 5.

RENEWAL OF AXIOMATIC INVENTORY AND ASSESSMENT OF ROAD SURFACES

AGREEMENT: This renewal is due and anticipated in the budget; the assessment is usually done in April or early May. The cost of updating the report is \$1,200.

MOTION: To renew the two-year contract with Axiomatic for inventory and assessment of road surfaces.

MOTION: R. McDermott

SECOND: J. Ziolkowski

UNANIMOUS

ADOPTION OF FEES –SOLID WASTE: The amendments to the Solid Waste Agreement were passed at Town Meeting.

MOTION: To adopt the solid waste fees associated with the Solid Waste Agreement.

MOTION: J. Ziolkowski

SECOND: R. McDermott

UNANIMOUS

REPORT OF APPROPRIATIONS ACTUALLY VOTED (MS2): This State document detailing the results of the Town election was signed by the Selectmen.

2017 SALARY PAY PLAN: As the budget was approved, the 2017 salary pay plan was signed by the Board.

OTHER: J. Ziolkowski asked to follow up on the Board's earlier telephone meeting with Town Counsel and made the following motion:

MOTION: I, James Ziolkowski, Vice Chairman of the Hampton Falls Board of Selectmen, make a motion that the March 16, 2017 town election was potentially compromised in that several RSAs were violated, specifically but not limited to RSA 658, as it relates to polling places, and RSA 657 as it relates

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to handling of absentee ballots and absentee voter fraud. I move that this Board instruct Town Counsel to investigate these potential violations and if appropriate thereafter, instruct Town Counsel to petition the court for a revote.

No second to the motion was heard.

PUBLIC COMMENT RELATING TO THIS MEETING'S AGENDA ITEMS: The Chairman opened the meeting to public comment.

Todd Santora of Avery Ridge Drive read from an email he had sent to the Town Moderator and the Town Clerk about the decision to move absentee balloting to the Public Safety Building on Tuesday, March 14th. He questioned how the decision to move the absentee balloting was made, by whom, and also wanted to know how many absentee ballots were received that day at the Public Safety Building.

T. Santora said that there was no notification to the public that absentee votes would be accepted on March 14th at the firehouse. He said this was technically moving the polling place to the Public Safety building without proper notice.

T. Santora said that even if the meetings and the decision were appropriate, the public should have been notified.

T. Santora said that rumors and speculation were that the 6 absentee ballots received at the Public Safety Building on Tuesday were from Fire Department personnel, and that there was potential voter fraud. He questioned the training of the assistant Town Clerk who was present, and noted that she is also a member of the Fire Department, and that Fire Chief Jay Lord was also deputized for the day.

Margaret Allen of Hillcrest Drive questioned why there was no mention of the absentee ballots being accepted at the firehouse on the 14th when the Public Safety announcement went out on the evening of the 13th. She said the only information came out on a Facebook post.

M. Allen also wanted to know why the Town Clerk could not be transported to her office in the bad weather, if she needed to be there for absentee ballots, by fire department personnel.

M. Allen said that the posted polling place for Hampton Falls is the Town Hall, and that if a polling place is to be changed or added, 14 days' notice needs to be given to the Secretary of State.

J. Ziolkowski said he was told by Town Moderator J. P. Pontbriand and by the Town Clerk that they were not involved in the decision to accept absentee ballots on Tuesday at the Public Safety building. The Vice Chairman said that he had been notified about the noon conference call with the Governor, but did not attend, and did not receive a phone call to come to the 2:00 meeting that followed. He wanted to know who made the decision to move the absentee balloting. He also wanted to know if the meetings were posted and if minutes were taken.

Ed Beattie of Drinkwater Road objected to the moving of the election from Tuesday the 14th and said that this initial mistake led to others. He said his greatest concern was the chain of custody of the ballots, and whether they were locked and secured properly. He said he feels that every absentee ballot

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has been tainted. E. Beattie said that the electronic sign informed of the election day being postponed to Thursday, but did not say absentee ballots could be brought to the Public Safety building on Tuesday.

School Board Chairman Mark Lane was asked if the School Board was notified. He said that the Moderator called on Monday about voting day being postponed due to public safety concerns and suggested Wednesday March 15 as an option. M. Lane said his own suggestion at that time was to avoid moving the vote to Friday. He said beyond that he was not informed.

M. Lane said he was concerned because while the day of voting was changed, this did not change the rules governing absentee voting. He wanted to know if the rules, that absentee votes are only to be submitted by those who would be out of town or had medical reasons to be unable come to the polling place, were still in place on Tuesday or if they were loosened to allow for emergency snow days. He said that he was concerned that without the Town Clerk's presence, the reasons for voting absentee might not have been asked.

Shelley Parish of Towle Farm Road questioned why the voting day was changed when other Seacoast towns did not move theirs. She also wanted to know if those who voted at the Public Safety building had to show ID and be checked on the voter registry to be sure they were legal Hampton Falls residents.

Jill Swasey of Goodwin Road said that it sounds like proper procedures were in place, but there still should have been notification that absentee ballots would be accepted at the Public Safety Building. She said that those on the email subscriber list should have been notified.

J. Ziolkowski said he had asked the Fire Chief for a list of personnel who were in the Public Safety building from Monday through Thursday, but has not yet received this list.

J. Ziolkowski then said that he feels there should be a second to his motion to have Town Counsel move forward and investigate these matters.

Further questions were posed about who made the decision to move the vote. L. Smith said that no one person made the decision, that is was a group decision based on public safety. R. Dirsa said the tone of the group during the conference call was to make every effort to allow the best possible access to voting. He said that there was a poster on the Town Hall door guiding people to the Public Safety building if they had absentee votes.

J. Ziolkowski asked again for a second to his motion. He restated his motion:

MOTION: I, James Ziolkowski, Vice Chairman of the Hampton Falls Board of Selectmen, make a motion that the March 16, 2017 town election was potentially compromised in that several RSAs were violated, specifically but not limited to RSA 658, as it relates to polling places, and RSA 657 as it relates to handling of absentee ballots and absentee voter fraud. I move that this board instruct Town Counsel to investigate these potential violations and if appropriate thereafter, instruct Town Counsel to petition the court for a revote.

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MOTION: J. Ziolkowski
SECOND: L. Smith
UNANIMOUS

The Chairman closed Public Comment at this time.

REVIEW AND APPROVAL OF PREVIOUS MINUTES: 3/13/2017 and 3/15/2017:

MOTION: To approve the minutes of the meeting of March 13, 2017, as written.

MOTION: R. McDermott
SECOND: J. Ziolkowski
UNANIMOUS

MOTION: To approve the minutes of the meeting of March 15, 2017, as written.

MOTION: J. Ziolkowski
SECOND: R. McDermott
UNANIMOUS

MOTION: To adjourn at 11:20 AM.

MOTION: R. McDermott
SECOND: J. Ziolkowski
UNANIMOUS